

THE REPRESENTATIONS

3 { OF
Masters { EBENEZER ERSKINE
AND
JAMES FISHER, 2

AND OF
Masters { WILLIAM WILSON
AND
ALEXANDER MONCRIEFF,

TO THE
Commission of the late General Assembly;

CONTAINING

Their REASONS why they could not retract
their PROTESTATION against the *Exclusion*
of the last Assembly; As also, a plain *Confession*
of their Principles, with a *Protestation* for
the Nullity of any Censure that should be in-
flicted upon them.

Together with

The *Protestations* entred by them, and several *Extracts*
of their respective Congregations, after the Sentence
of *Suspension* was execute upon them.

As also,

An APPENDIX, containing several Representations, &c.
from different Presbyteries, Kirk-Sessions and Town-
Councils against *suspending* Mr. Erskine, &c.

EDINBURGH,

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WILLIAM WILSON
JAMES WILSON
BENNETT WILSON



ERRATA.

Page 15. Line 21. for 1682, read 52. p. 17.
l. 27. F. 1733, r. 1732. p. 43. l. 24. in some
Copies, r. had not. p. 53. l. 13. delete it.

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To the READER.

READER,

THE State of the Process with relation to Mr. Ebenezer Erskine's Synodical Sermon, as it was managed both before the Synod and last Assembly, having been lately published, it is needless here to resume the Progress of that Affair: Only it is fit, for carrying on the Thread of the Story, the Reader should know, That the Assembly May 1733 having seen fit, by mere Church-Authority, to lay the four protesting Brethren jointly under a Sentence of Suspension, without allowing them to open a Mouth at the Bar of Assembly, either before or after Sentence; which Sentence the Commission in August were impowered and appointed to execute, unless the Brethren protest their Sorrow, and retracted their Protest: The sentenced Brethren judged it proper, for their necessary Defence and Exoneration, to prepare their written Defences, according to their different Situations before the Assembly, as Appellants from, or Protesters against, the Sentence of the Synod of Perth.

Upon their Appearance at the Bar, the Commission entred upon a Resolve to receive or read no Papers that might be offered by the protesting Brethren, but that they should be obliged to give in their Answers viva voce, and that only One at once should be allowed to be present. The protesting Brethren perceiving that this Method of Procedure was evidently designed to catch and ensnare

and considering that the Cause was common, and that they were all equally join'd together, and concluded under the Assembly's condemnatory Sentence, they judged it proper to give in jointly the following Representations at the Bar under Form of Instrument. After which the Commission, according to their former Resolution, having ordered the three Brethren Adherents to Mr. Erskine's Protest to remove; Mr. Erskine was interrogate, Whether he was sorry for protesting against the Authority of the last Assembly, and if he now retracted his Protest? To which Mr. Erskine answered, " He was indeed sorry that what he had done should be interpreted by any a Contempt of the Authority of the Judicatories of this Church, no such Thing being intended by his Protest, but only a solemn Adherence unto the Truths of God delivered in his Synodical Sermon, for the emitting of which he had been rebuk'd and admonish'd solemnly at the Assembly's Bar, as tho' he had vented some notorious Error or Heresy. And, with respect to the Question now proposed, Whether he retracted his Protestation? he and his other three Brethren had had that Matter under their serious Consideration ever since the last Assembly, and accordingly had drawn up their deliberate Answers in Writ, which were now lying upon the Table, and therefore craved they might be read." The Moderator told him, That the Commission had resolved to read none of their Papers, but that they should answer viva voce to the above Question. Mr. Erskine replied, " That he judged it the Privilege of any Man sited before a Court, Civil or Ecclesiastick, to chuse which of the Ways

" he

To the Reader.

V

“ he thought proper for his own Defence, whether by Word or Writ ; and that they, being a Body of Men joined together in the same Cause, had agreed upon their joint written and subscribed Answers ; and, for his own Part, he did not incline to give up this Privilege, and therefore again referred to his written Answer.” Being asked, Whether his Paper was a Retraction of his Protest, or not ? He answered, The Court was abundantly capable to judge, upon their reading his Answer.

After about two Hours were spent in pumping Mr. Erskine for an Answer viva voce to no Purpose, he was removed ; and, after some Debate, a Vote was stated, and a Question put, Read Mr. Erskine's Paper, Or refer to a Committee ? The First carried ; whereby their first Resolution agreed to, viz. against reading any of the Papers, was overturned ; contrary to a stated Rule, That the Commission cannot overturn any of their own Actings till it come before the Assembly : And now it is strongly pled, That the Assembly itself cannot overturn what is done by the Commission. Mr. Erskine being called in, he was allowed to read his Paper, which he did accordingly, and laid it down again upon the Table ; and, being desired to take it along with him, he refused, in regard it was given in with an Instrument.

After this, a Committee was appointed to meet with the Brethren next Morning, at the Burrow-Room, where two or three Hours were spent to perswade them to retract the Protest, which the Brethren could by no Means yield to : And, when this was reported to the Commission, the four Brethren

thren being at the Bar, particularly Masters Wil-
son and Moncrieff, the Moderator asked the Two
last mentioned, If they agreed to the Truth of the
Report? They answered in the Affirmative. Up-
on which Advantage was taken to refuse a Read-
ing of their written Answer; which obliged the
said two Brethren to deliver themselves viva voce.
In the Close of both their Speeches, they prote-
sted against any Sentence of Suspension that should
be execute against them, as null and void; and
that they should be at Liberty, notwithstanding
of any such Sentence, to exercise all Parts of
their Ministerial Office; and took Instruments
thereupon, to which Mr. Erskine and Mr. Fisher
adhered. The Brethren being removed, the Com-
mission went on to judge; and, after some warm
Speeches, hinc inde, a Vote was stated, and the
Question put, Suspend the four Protesting Bre-
thren from all Parts of their Ministerial Office, Or
delay this Affair? The First carried. The Bre-
thren being called in, this was intimate to them;
and accordingly the Moderator, not in the Name
and Authority of CHRIST the alone Head and
King of the Church, but in the Name and Au-
thority of the Assembly and Commission, did sus-
pend the said Brethren sine die. Upon this the
four Brethren again protested against the said
Sentence, for Reasons contained in their respective
Papers; and some Members of Sessions from their
respective Parishes adhered to them, and offered
their separate and distinct Protestations, for them-
selves, and all that shall adhere to them in their
several Congregations, all which are insert in
this Pamphlet: And several Ministers and El-
ders, Members of the Commission, dissented from
the said Sentence; and some others, not Members,

offered to adhere to their Dissent, but the Moderator thought fit to interrupt their Proceadure by Prayer.

It is a Question upon the Whole among some, Whether there be any Validity, either in this Sentence of Suspension, or yet in the Rebukes given Mr. Erskine or the Brethren in Dunfermline Presbytery, seeing none of them were pronounced in the Name and Authority of CHRIST, but only in the Name and Authority of the Assembly? And whether the Moderator was not under a secret Conviction, that it would been a Prostituting of that Name, which is above every Name, to have used it in these Rebukes and Suspensions, which had no Foundation in the Word of God: The Moderator himself is the only Person that can answer this Question; and therefore sibi constet.

Tho' (as was hinted above) the State of this Process, as it was managed before the Synod and Assembly, was formerly printed, and Copies of it are in many Hands, and no Copies may yet be had from those that publish'd it; and tho' the Protest taken by Mr. Erskine Minister of the Gospel at Stirling, against the Assembly's Sentence finding him censurable, and the Adherences to the said Protest by Mr. Wilton Minister at Perth, Mr. Moncrieff at Abernethy, and Mr. Fisher at Kinclaven, be insert in the said printed State; yet, because Copies of this Paper may come into the Hands of some who have not seen the former State of the Process, it is thought needful, for Connection's Sake, to subjoin to this Preface the said Protest and Adherences, which are the only pretended Ground of this Sentence; and accordingly they do here immediately follow.

PROTEST

PROTEST by Mr. Ebenezer Erskine and
others, given in to the Assembly 1733.

ALtho' I have a very great and dutiful Regard to the Judicatories of this Church, to whom I own my Subjection in the Lord; yet, in respect the Assembly have found me censurable, and have tendred a Rebuke and Admonition to me, for Things I conceive agreeable unto, and founded upon, the Word of God, and our approved Standards; I find myself obliged to protest against the foresaid Censure, as importing, that I have in my Doctrine, at the Opening of the Synod of *Perth*, *October* last, departed from the Word of God, and the foresaid Standards; and that I shall be at Liberty to preach the same Truths of God, and to testify against the same or like Defections of this Church upon all proper Occasions. And I do hereby adhere unto the Testimonies I have formerly emitted against the Act of Assembly 1732, whether in the Protest entred against it in open Assembly, or yet in my Synodical Sermon; craving this my Protest and Declaration to be insert in the Records of Assembly, and that I be allowed Extracts thereof.

May 14. 1733.

EBENEZER ERSKINE.

WE undersubscribing Ministers, Dissenters from the Sentence of the Synod of *Perth* and *Stirling*, do hereby adhere to the above *Protestation* and *Declaration*, containing a *Testimony* against the Act of Assembly 1732, and asserting our Privilege and Duty to testify publickly against the same or like Defections, upon all proper Occasions,

28 OC 62

WILLIAM WILSON.

ALEX^r. MONCRIEFF.

I Mr. *James Fisher* Minister at *Kinslaven*, Appellant against the Sentence of the Synod of *Perth* in this Question, altho' the Committee of Bills did not think fit to transmit my Reasons of Appeal, find myself obliged to adhere unto the foresaid Protestation and Declaration.

JA. FISHER.

Unto

Unto the very Reverend the Moderator
and remanent Members of the Com-
mission of the General Assembly of
the Church of Scotland, met at E-
dinburgh the 8th Day of August 1733.

The Humble Representation
of Mr. Ebenezer Erskine
Minister at Stirling, and
Mr. James Fisher Minister
at Kinclaven.

Right Reverend,



Being ordered by the last Ge-
neral Assembly to appear be-
fore this Meeting of the Re-
verend Commission, and shew
our Sorrow for our Conduct
and Misbehaviour in offering
to protest, and in giving in to
the Assembly the Paper by us
subscribed, and that we now retract the same;
and in case we do not appear before this Commis-
sion, and then shew our Sorrow, and retract, as

B

said

said is, they are impowered and appointed to *suspend* us from the Exercise of our Ministry ; as the said Act and Minutes more fully bear. And we having taken this Matter under our serious Consideration, as in the Sight of Him to whom we must give an Account ; and finding, by the Tenor of the said Act, that we are enjoined by *mere Authority*, without any other Ground of Conviction, to profess our Sorrow, and retract our Protestation, do therefore humbly beg Leave, in the *first* Place, to lay before this Commission the Sentiments which we confess and own concerning the Authority of the Judicatories of the Church of Christ, which we hope will be found agreeable unto the received Principles of the Church of *Scotland*, and founded upon the Word of God.

1^{mo} then, Christ is the alone King and Head of his Church, by his Father's Ordination and Appointment ; *God hath set him King in his holy Hill of Zion ; The Government is laid upon his Shoulders ; All Power in Heaven and in Earth is given, and all Judgment is committed to him of his Father. He hath given him to be the Head over all Things unto the Church, which is his Body.* Hence it follows,

2^{do}, That all Ecclesiastical Authority is originally lodged in, and derived from him. He is given for a Leader and Commander to the People : He is that Ruler in Israel, whose Goings forth were of old, from Everlasting ; and accordingly his Laws go out of Zion, and the Word of the Lord from Jerusalem : Therefore the Church owns him alone as her Judge, her King and Lawgiver, or, as in the Hebrew, her Statute-maker,

maker, Isa. 33. 22. Hence it is that all *Ordinances* are to be dispensed in his Name, all *Officers* are to be ordained, and all *Laws* enacted in his Name; all *Censures*, such as *Rebukes*, *Admonitions*, *Suspensions*, *Depositions*, *Excommunications*, or *Relaxations* from these Censures, are to run in the Name and *Authority* of this Great KING and HEAD of the Church; and, where this is wanting, the Enquiry should be made, *Whose Image and Superscription is this?* Hence it follows,

3¹⁰, That the *Kingdom* and Church of Christ is not of *this World*, but of a *spiritual* Nature. Other Kings have only a Jurisdiction over the *Bodies* of Men, and their *Overt Actions*; but the Government of Christ extends also to the *Soul* and *Conscience*, the more noble Part of a Man. *The Kingdom of God is within us; It is not Meat and Drink, but Righteousness, and Peace, and Joy in the Holy Ghost.* The Weapons, wherewith he subdues Men unto his Obedience, are not Fire and Sword, but the Word of the Truth of the Gospel, which is the *Power of God unto Salvation*, and, thro' his Blessing, *mighty to the pulling down of strong Holds*, and for *bringing every Thought into Captivity unto the Obedience of Christ*. The Officers and Courts of this Kingdom have no Right to punish Men in their Bodies or Estates (which only fall under the Cognizance of the Civil Magistrate) but their main Work is with their *Hearts* and *Souls*, which they are to *build up an Habitation of God through the Spirit*: And therefore the Powers of this World have no Reason to have a *jealous Eye* upon the Kingdom of Christ, or Prerogatives of his Throne,

as if their Kingdoms and Crowns were thereby invaded; for, the more that Men are subdued to the Obedience of Christ, the more loyal will they be to their earthly Sovereigns, ruling according to Equity. A true Subject of Christ's Kingdom can be no Enemy to *Cesar*, being obliged, according to Christ's Command, to *render to Cesar the Things that are Cesar's, and unto God the Things that are God's.*

410, All the *Laws, Ordinances and Officers*, appointed by Christ in his Kingdom, are design'd for the *Good and Edification* of his Subjects: For, when he *ascended up on high*, and sat down on his Mediatorial Throne, He gave some, *Apostles*; some, *Prophets*; some, *Evangelists*; some, *Pastors and Teachers*; for perfecting of the *Saints*, for the *Work of the Ministry*, for the edifying the *Body of Christ*: Till we all come in the *Unity of the Faith*, and of the *Knowledge of the Son of God*, unto a perfect Man, and to the *Measure of the Stature of the Fulness of Christ*, Eph. 4. 11, 12, 13. The whole Plot of Redemption, which is the *Wisdom of God in a Mystery*, the whole Administration of Providence, the whole Frame of Gospel-ordinances, and all the *Graces, Influences and Operations* of the Holy Ghost, are just calculate for the Good and Advantage of Christ's Mystical Body. The *Laws* he hath enacted, for the Government of his Church, are laid in an Agreeableness to his Designs of Love in her *Edification and Salvation*; And therefore all *Laws*, past in Ecclesiastical Courts, must needs quadrate with this general Design; otherwise they are to be *rejected*, as not being touched with his Sceptre, or issuing from his

his Authority, which is calculate for the Edification, and not for the Destruction of his Body.

510. It is the peculiar Glory and Privilege of the Church of Christ, beyond all other Societies in the World, that she has received from her great KING, in whom are hid all the Treasures of Wisdom and Knowledge, a complete System of Laws, by which she is to be governed (*Psal. 19. 7.*) to which nothing is to be added, and from which nothing is to be taken away: Hence her great King has sealed up the Law and Testimony with that awful Certification, *If any Man shall add thereunto, God shall add unto him the Plagues written in this Book; or, if any Man shall adventure to take any Thing from it, God shall take away his Part out of the Book of Life, and out of the Holy City, Rev. 22. 18, 19.*

They who meet together in a *Judicative Capacity* about the Administration of the Affairs of Christ's Kingdom, and pretend to be constitute, and to act in his Name and Authority, had need to be *well versant* with the Statutes of the Kingdom, and have their Eyes upon that perfect and unerring Standart of the Word: For, if they *walk not according to this Rule*, Peace cannot be upon them; If they *depart out of the Way*, and cause Men to stumble at the Law; if they *corrupt the Covenant of Levi*, and be *partial in the Law*, and keep not his Way, he has threatned to make them *base and contemptible before all the People*, *Mal. 2. 8, 9.* And here we cannot but observe, in a Consistency with what is now said, That, in a Church-Society, the Majority

rity is *not always* to give Laws to the lesser Number : For, as, in all Societies, the *Legislative Power* is not to extend beyond the *fundamental Laws* upon which the Society is erected ; so, in a particular Manner, the Church being *built on the Foundation of the Apostles and Prophets, Jesus Christ himself being the chief Corner-stone*, she is plainly limited at least as to these Laws that are to be the *Terms of Communion* among her Members. And these are so *clearly* laid down in the Scriptures of Truth, that *they who run may read them* : For we firmly believe, that " The Holy
 " Spirit speaking in the Scriptures is the Supreme
 " Judge by which all Controversies of Religion
 " are to be determined, and all Decrees of Councils examined, and in whose Sentence we are to
 " rest ; and that all Things which are necessary
 " to be known, believed and observed for Salvation,
 " are so clearly propounded and opened in
 " some Place of Scripture or other, that, not only the Learned, but the Unlearned, in a due
 " Use of the ordinary Means, may attain to a
 " sufficient Understanding of them," *Confession of Faith*, Chap. i. Sections 7, 10. For, if Pluralities in *all Cases* were to bear the Sway, then a Reformation in the Church had *never* been brought about ; and we humbly think, that the contrary Principle would infallibly land us into *passive Obedience* and *Non-resistance* ; which, if it had prevailed, as it would have been an effectual *Bar* in the Way of our late happy Revolution, and of the Establishment of the Protestant Succession in the illustrious Family of *Hanover*, so we are sure, at least as to Things sacred, it is a *Doctrine renounced* by all sound Protestants, and in-

con-

consistent with our Confession of Faith, Chap. 20.
Sect. 2. From what is said it follows,

610, That *Church-power* is, not a Lordly and Magisterial, but a *Lowly and Ministerial* Power; not an absolute and boundless, but a *limited and circumscribed* Power: *The Kings of the Gentiles exercise Dominion* over their Subjects; but the King of Zion, who is *meek and lowly*, has inhibited any such Thing among the Rulers of his Kingdom; they must not *beat their Fellow-Servants* at Pleasure, or *lord it over God's Heritage* in an imperious Manner, by subjecting them to the *Commandments of Men*. Church-decrees and Sentences bind only in so far as they are in the *Lord*, that is, as they agree with the inflexible, perfect and unerring System which he hath sealed, as was said, for the Use of his Church. Whenever Church-authority goes out of this Line of *Subordination*, it degenerates into *Tyranny* and *Usurpation* upon the Royal Prerogative of the *KING of KINGS, and LORD of LORDS*. If we yield an implicate Faith to the Doctrines, and blind Obedience to the Commandments of Men, we that Moment give up with Liberty of Conscience and Reason also, as is well expressed in the last quoted Article of our *Confession of Faith*. And therefore,

710, All Church-judicatories, from the highest to the lowest, being made up of Men who *know but in Part*, and subject to *like Passions* and *Frailties with others*; their Determinations are fallible and liable to Error, *Isa. 46. 7, 8. Rom. 3. 4. 1 Cor. 13. 9, 12. Isa. 10. 1.*

Sad Experience, almost in every Congregation teaches us, that the rulers of the church do frequently
decline

decline from the Truth, especially when they have for a considerable Time enjoy'd outward Peace and Tranquillity, and have not been emptied from Vessel to Vessel. How often do they decree unrighteous Decrees, and write Grievousness which they have prescribed? And, as the same Prophet laments, Chap. 9. 16. The Leaders of this People cause them to err, and they that are led of them are destroyed. It follows from this,

8vo, That it is the indispensable Duty of every Church-Member to examine, by the Judgment of Discretion, every Thing imposed or enjoined by Church-authority, whether it agree with the unerring Rule of the Word. We are to prove all Things, and hold fast that which is good. We must not believe every Spirit, but try the Spirits, whether they are of God; because many false Prophets are gone out into the World, 1 Thess. 5. 21. 1 John 4. 1. Hence the Bereans are commended, as noble and excellent Persons, for trying the Doctrines of the Apostles themselves, whether they did agree with that Part of the Canon of the Scriptures then extant; and it, after a diligent and impartial Search, the Acts and Constitutions of Judicatories be found repugnant to the Word of God, we must not bring our Consciences in Bondage thereunto, but stand fast in the Liberty wherewith Christ has made us free. Neither doth this encourage Men to transgress the Line of Subordination appointed in the Word, but only constitutes them Judges of their own Actions, which they are obliged to conform, not to the Decrees of Men, but to the Rule of the Word; according to the Practice of the Apostles,

bles, who, when discharged by the Jewish Council to speak any more in the Name of Jesus, found themselves obliged boldly to answer, *Whether it be right to obey God or Man, judge ye*: This their Practice exactly corresponding to that Old-Testament Rule, *To the Law and to the Testimony*: If they speak nay according to this Word, it is because there is no Light in them, Isa. 8. 20. which, beyond doubt, is obligatory upon Inferi-ors, as well as Superiors.

9no, When Church-authority is so far perverted from the original Design thereof, as to be exercised to the *Hurt* of Truth, to the *Violating* the Rights and Liberties of Christ's Kingdom, and the *Oppressing* and *Bearing down* of those whom it ought to protect; it is the indispensable Duty of all who would be found faithful in such a Day, not only to *mourn* for such Evils before the Lord, but in their respective Spheres to *contend* for the Faith once delivered to the Saints, to stand fast in the Liberties wherewith Christ hath made his People free, to resist even unto Blood, striving against Sin. And particularly, it is the Province of the Watchmen, who are set upon the Walls of Jerusalem, not to hold their Peace, but to cry aloud, and not to spare, and to lift up their Voice like a Trumpet: And the rather, that it hath been the Glory of this Church, ever since the Reformation from Popery, to contend for the Royal Prerogatives of Christ's Kingdom, in Opposition to the Encroachments made thereupon by those who had the Civil Power in their Hands. And it is worthy of our Notice, that all those, who suffered in the late Reigns, loved not their Lives in the Defence of the Headship of Christ; and

the Government of his House ; this being the *Word of his Patience* which they kept, and transmitted to us in Purity, at the Expence of their Blood. And it is most affecting to us, that now, altho' we enjoy Peace and Tranquillity from the State, yet these *valuable Privileges* should in a great Measure be given up by the Judicatories of the Church, whose main Care and Concern it ought to be to support and defend them. And therefore this being the Case, as we apprehend, we humbly think that we could do no less, in Duty to God and our Consciences, than to *enter our Protest* against such Encroachments ; this having been always one special Mean whereby the Lord's Worthies in this Land have maintained his Cause, and transmitted the Doctrine, Discipline, Worship and Government of his House down to us in Purity.

And, because the late Assembly have appointed this Commission to *suspend* us, and our other two Brethren, for no other Reason but that of *protesting* against a Sentence of that Assembly, which we conceived to be injurious to *Truth*, to the *Freedom* of Ministers, and the *Rights* of the Church ; therefore we beg Leave to lay before this Commission, to whom the Execution of that Sentence is committed, a Quotation taken from a printed Paper of the Lord Waristoun's, given in to the General Assembly 1651, very shortly after a Door was opened by the *publick Resolutions* for receiving disaffected Persons into Places of Civil and Military Trust : His Words are as follow ;
 " And now for the Point of Protestation, *Cui libet licet protestari, supplicare, mendicare*, as
 " the common Proverb goes : But it is most remarkable,

markable, that, by these legal Means of Pro-
 testations, the Lord hath preserved in all Times
 of Defection and Hours of Darkness (as be-
 tween 1571 and 1575, betwixt 1584 and 1587,
 betwixt 1597 and 1638) the Church of *Scot-*
land from a total and universal Backsliding and
 Breach of Covenant, and so from his Wrath
 and Judgment against the Whole; but kept
 ever a Remnant in Covenant with him, and
 him fast to them, and thereby they kept
 God in the Land: And the Lord, in all Times
 of their Reviving and Recovery of Light and
 Life, made their Successors, as it were, to en-
 ter Heirs by these Protestations to the Interest
 of the Church of *Scotland* in God, and his In-
 terest in her; and so he hath made us, in our
 two Covenants, and solemn Acknowledgments,
per ipsa verba, to be as it were served and re-
 toured to all the former Protestations: And
 who knows what Successors may be to these
 that are now necessary? — Good Reason
 there is for such Protestations, especially in
Scotland; because, not only by God's Word,
 but also by our National Covenant, Solemn
 League and Covenant, and Solemn Acknow-
 ledgment, all Interest of King, Parliament of
 Kingdom are subordinate to the Interest of
 Christ, and all Duty to Men subordinate to our
 Duty to God, *in hoc fœderato regno fœderati*
Dei; according to 2 *Kings* 11. 17. and 2 *Chron.*
 23. 16. in both which the Substance of that Co-
 venant, and of our Covenant, is, That we
 should be God's People, and all other Relati-
 ons subservient in that, *Sis ergo gloria Christi*
& salus Ecclesiæ suprema lex nostra: And,

“ whenever we see it in any Hazard, and any
 “ Thing in Competition with it, let us, according
 “ to our Calling, at least protest, that our Lord and
 “ our Mother may get Right ; which will legally
 “ preserve it to another Judgment : And, if they
 “ get Wrong thereby, they will have Witness of
 “ it ; which is the least that we should do for
 “ him (tho’ we suffer for it) who hath done and
 “ suffered so much for us, and who puts a great
 “ Honour upon any whom he calls to be Wit-
 “ nesses to and for him.” From this, and other
 Instances that might be given, it appears, that
 Protestations are not altogether unprecedented in
 this Church.

These Principles being laid with Reference to
Church-authority, which readily will be disown-
 ed by no sound Presbyterian, we now proceed to
 take Notice of some Things in the Conduct of
 the Judicatories of this Church, which we hum-
 bly conceive to be *inconsistent* with these Powers
 which they have received from Christ, the alone
 King and Lawgiver of his Church.

The General Assembly, in the Year 1732, con-
 trary to the Rule of the Word, our Books of Dis-
 cipline sworn to in our National Covenant, Acts
 of Parliament, Practice of the Church, and like-
 wise contrary to the Instructions sent up from the
 Generality of Presbyteries to the Assembly, *enac-
 ted*, That the Power of electing Ministers should
 ly in *Heritors*, and *Elders*, to the excluding of
 their *Christian Brethren* in Congregations, to
 whom nothing is left by that Act but a bare gene-
 ral *Approbation* or *Disapprobation* ; and even that

that same *hampered* by obliging the Disapprovers to give the *Reasons of their Dissent*, which, as it is commonly explain'd, must be confin'd to *Doctrine and Morals*, without any other Consideration; by which Means a wide Door is opened for the *Bear and wild Beast of the Forrest* to devour the Lord's Heritage: Heritors and Gentlemen of all Denominations, be they *Deist, Arian, Socinian, Arminian*, and never so immoral and disaffected to the Government both in Church and State, are thereby vested with an Ecclesiastical Privilege in that great Affair of *electing Ministers*, which relates to the eternal Salvation of Souls: In Consequence of this Act, Settlements of Christian Congregations are managed in a more arbitrary Manner than when *Episcopal Tyranny*, supported by Civil Authority, was rampant in the Land; whereby Congregations are broken, and the Cries of Oppression under Ecclesiastical Tyranny are heard through every Corner of the Land.

Mr. *Erskine* in his Synodical Sermon, for his own Exoneration, and in order to excite his Brethren to appear for the Rectification of these prevailing Evils, found himself obliged to give his *Testimony against them*; but, instead of having the desired Effect, he is attacked by the Synod of *Perth and Stirling*, and declared *cenfurable* for a Bundle of Propositions, which, as uttered by him, he conceived to be agreeable to the Word of God and the received Standards of this Church. And tho' the Reverend Synod, in their Management of this Affair, contraveen'd the *Form of Process*, Chap. 1st Parag. 4th, by declaring Mr. *Erskine* *cenfurable* for Propositions emitted by him, with-

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out shewing wherein he had departed from the Word of God, or any one Article of our received Doctrine, which obliged him to appeal to the Assembly, in Expectation of a Redress; yet the General Assembly, when the Affair was brought before them, in the same Manner, *affirmed* the iniquous Sentence of the Synod, *admonish'd* and *rebuk'd* Mr. *Erskine* at their Bar, for preaching the Truths of God, and testifying against the Iniquity of the forelaid Act 1732. And when Mr. *Erskine* and some others found themselves obliged, according to the Practice of our worthy Forefathers, to *enter a Protest* against that Sentence and Censure, as *injurious* to Truth, and *prejudicial* to Ministerial Liberty; the Assembly, without hearing the Brethren upon the Grounds of their *Protest*, either before or after Sentence, by *simple Authority* order their Commission in *August* to *suspend* them from the Exercise of their Ministry, and authorise and appoint them to proceed to a *higher Censure* in case they do not profess their Sorrow, and retract the said Protestation; and all this without offering in their Sentence the least Ground of Conviction to the *protesting Brethren*, but that of absolute Authority; as if *implicite Faith* and *blind Obedience*, renounced in our *Confession* and *Covenants*, were to be yielded unto the Decisions of any Court whatsoever.

This being the View we had of this Matter, we thought ourselves bound in Duty to take the Step for which we are now condemned, namely, to offer a *Protest* to the last Assembly; concerning which we humbly lay before this Reverend Commission the following *Reasons* of our Conduct,

1740, We

imo, We judge a *Protest*, even before the highest Ecclesiastical Court, not only *lawful*, but in some Cases (as in the present) a Duty *necessarily incumbent* on us for the Exoneration of our Consciences; it being also sometimes a *Mean of Conviction* upon the Consciences of these who have by their Acts any Way encroached upon the Truth, and an *Example of Faithfulness and Zeal* to others, both in the present and succeeding Generations. These, and such like Reasons, the Brethren who protested in a former Period of this Church against the *publick Resolutions*, gave for the Equity of their Conduct: And it is evident from their *Protestations* and *Representations*, still extant, that the Ground of their Complaint *then* was the same with ours *at present*, namely, the Church's interposing their Authority in Things not evidently founded upon the Word of God, and excluding all from their Judicatories who had not Freedom to comply with their arbitrary Measures; as appears from Act of Assembly 1682, *Edinburgh, August 3d, Session 19. Concerning admitting Expectants to Trials, and Ruling Elders to act in Presbyteries and Synods*; which was also most effectually done, by their *suspending* and *deposing* several worthy Brethren of the protesting Side.

If it is said, That a Protestation entred by a Party before an Assembly, is a Declinature of that supreme Court; we answer, in an Agreeableness to Presbyterian Principles, That, in every private and personal Cause, the Decision of the supreme Court is the *last Resort*: But we humbly think, that the Matter of the present Protest is not *private* and *personal*, but of a *publick Concern*, affecting

setting Truth, and Ministerial Freedom in testimony against the prevailing Evils of their Day; and therefore our *Protestation* was only a solemn Declaration, That we could not submit in Matters of Conscience to mere *Church-Authority*; which we were warranted to declare from the Word of God, our Confession of Faith, and the Practice of the best Reformed Churches: Consequently this our Deed cannot be charitably construed a giving up the Subordination of Judicatories, or a refusing to submit to Church-authority lawfully exercised, or to Laws of the Church when founded upon the unerring Standard of Truth; for *Authority* is one Thing, and the *Maladministration* of it is another; and we are far from condemning the *first*, when we testify against the *last*.

If it is further alledged, That our Protestation hath a Tendency to disturb the Peace, and to break the Unity of the Church; we answer, That the *Unity of the Spirit in the Bond of Peace* ought to be the Endeavour of all that are Members of that one Body of Christ, Partakers of one Spirit, called in one Hope, professing one Lord, confessing one Faith, and sealed with one Baptism: And for Brethren to dwell together in Unity, is good and pleasant; but it must be in the Way of Truth and Duty, and consistent with Holiness, and the Honour of Christ, and the Rights of his Church; otherwise, if it be in the Way of *Apostasy* and *Defection*, it is but a *Confederacy* and *Conspiracy* against the Lord. And true Union can never be attained, nor maintained, nor recovered, except the *sinful Cause* of Division, viz. Defection, and the holy over-ruling Cause, viz.

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the Anger of the Lord be *removed*, in turning to, and following of him.

2^{do}, Another Reason, that led us in to this quarrelled Step, was the View we had of the Act of Assembly 1732, as being *contrary* to the Word of God, and the Judgment of the far greater Plurality of the Presbyteries of this Church, who sent up *Instructions* to the Assembly: For, even as the said Instructions were classed, it appears that only *six* Presbyteries instructed their Commissioners in *favour* of this Act, and *twelve* Presbyteries instructed for the *Amendment* thereof, and some of these for such Amendments as were *quite destructive* of the Act itself, and no less than *thirty one* Presbyteries instructed against the Act *simpliciter*, the rest being silent about it, as hath been said in the *fifth Reason* of the *Protest* entred against the Act itself; to which *Protest*, and the *Reasons* thereof, we *refer*, and *adhere*. Now, since this Act appears to have been carried *against* the Judgment of the Plurality of the Presbyteries and Ministers of this Church, we thought it *extremely hard* that any of us should be exposed to the *highest Censures* for declaring our Mind freely concerning the Nature and Consequences of it.

And we judged it the *less criminal* to testify against the Act 1733, in regard the Members of that Assembly had in their Eye a former Act, loosing all Commissioners from Presbyteries from any further Regard to their Instructions than they themselves saw necessary when met in Assembly. We humbly think, that Commissioners from Presbyteries, especially in Point of *Legislation*, are to act *agreeably* to the Mind of their Constituents; For, when the Opinion of the Plurality of the So-

ciety is reckoned *essential* to the Validity of a Law, as in the present Case, we think it *highly unreasonable* that their Representatives should have a Power to *act a quite contrary Part*. And it appears from the Constitution of Assemblies made up of Representatives from Presbyteries, that, whatever Liberty they may take in *private Causes*, yet, in passing Laws that are to be *universally binding*, Members should act in a *Consistency with their Instructions*; as is evident from the Meaning of that standing Law, which orders, "That all *Overtures*, which are designed to be
 " *pass into Laws*, be *first* transmitted to Presby-
 " *teries for their Opinion thereupon*." For, if Commissioners from Presbyteries can *de jure* act independent of their Constituents, a particular Assembly may *overturn* our Presbyterian Constitution, or *do what they will*, however contrary to the Opinion of the diffused Church: And, if this is the Case, however Members of Assembly may *make Laws to themselves*, yet it doth not seem reasonable that they should be *binding on others*; and therefore they may be used with the greater Freedom: For it cannot be supposed that ever Presbyteries would send up Commissioners to *tyrannize* over themselves, contrary to the express *Apostolical* Inhibition, *Not to lord it over God's Heritage*; for we cannot imagine, that Men, *merely* by being Members of Assembly, have *ipso facto* a Privilege to act in an *absolute and arbitrary* Manner. We shall only add upon this Head, That the Method of settling Parishes by the Act 1732, seems always to have been *contrary to the Judgment of this Church*; for we do not remember that any Divine of the Presbyterian Perswasion

on in this Kingdom ever offered a publick Defence thereof till of late.

We were further perswaded, that the Decision of the late Assembly concerning Mr. *Erskine*, was a fixing of a *new Term* of Ministerial Communion among all the Ministers of this Church, that they should not open their Mouths in Publick against any particular Act of Assembly, however *sinful* in its own Nature, and *prejudicial* to the Government of this Church, which our Ordination-Vows would not permit us to submit to with Silence: Besides, we, with others of our Brethren, offered to the Assembly 1732 a *Petition* and *Representation* against this Act, and many other Grievances, which they thought fit to reject; but, because our other two Brethren have mentioned these Particulars, we *refer* and *adhere* to their Representation, as containing our Sentiments upon these Heads.

And now, we being ordered by the last Assembly, as was said above, to appear at the Bar of this Commission, in order to shew our *Sorrow* for offering the above *Protestation*, and to *retract* the same: Besides what we have already said, and what is to be offered by our other two Brethren upon this Head, to which we firmly adhere; we humbly crave Leave to offer the following *additional Reasons*, why we cannot in Duty to God, or in a Consistency with the Light of our Consciences, comply with that Order.

1mo, Because the Sentence of the Assembly, which is the Foundation of our *Protestation*, not only condemns the *Expressions* vented by Mr. *Erskine*, as they are contained in the Minutes of

the Synod's Proceedings, but also the *Answers* made thereunto by him.

Now, we are perswaded, that there are many *valuable Truths* in these *Answers*, founded upon and warranted by the Word of God ; such as,
 “ 1. I reckon it the Duty of every faithful Minister, when he is dispensing the pure Truths of
 “ God, to exhort his Hearers to make Application of what is said to themselves; and I do not
 “ think, that Ministers themselves, when Hearers of the Word of God, are beyond such an
 “ Exhortation.” This *Proposition*, we conceive, is agreeable to the Practice of our great Lord, and of his Prophets under the Old, and Apostles under the New Testament, 1 Kings 18. 18. *Matth.* 23. 23, 24, 25. *Acts* 2. 23, 36. *Acts* 7. 51, 52. and several other Places, where they make a most *particular Application* of their Doctrine to their Hearers, which was attended with remarkable Effects ; and, if this *Proposition* be false, then the *Reverse* of it must be true, *viz.* That faithful Ministers, in dispensing the Truths of God, are *not* to exhort their Hearers to make Application ; and that Ministers themselves, when Hearers of the Word of God, are *beyond* such an Exhortation.

2. “ That carnal Notions of the Kingdom of
 “ Christ, which is not of this World, ly at the
 “ Bottom of many of the Evils and Corruptions
 “ of the Day.” It is an indispensible Truth, That *Christ's Kingdom is not of this World*, as was shewed above, the natural Man cannot conceive of its Spirituality ; yea, they that are in a State of Grace themselves, we find them, thro' remaining Blindness, entertaining *mistaken Notions* of this Kingdom, as is evident in the Case of the
 Apo-

Apostles after the Resurrection of Christ, when they said to him, *Acts 1: Lord, wilt thou at this Time restore the Kingdom to Israel?* Yea, we find them in a Mistake anent the *Extent* of it, even after the Down-pouring of the Holy Ghost, when they scrupled to preach the Gospel among the *Gentiles*, till *Peter's Vision* undeceived them. Neither do we think, that either this, or any other Church since the Apostles Times, have arrived at such *distinct* Notions of the Kingdom of Christ, and the Concerns thereof, as to be *beyond any Mistake*; and, we humbly think, we may be excused to say, That we are perswaded, a mistaken Notion of the spiritual Nature of Christ's Kingdom, did lead the Assembly 1732 to prefer *Heritors* of this World beyond *other Men* in the electing of Ministers. We agree with the Reverend Mr. *Henry*, when he says in his *Commentary* on *John* 6. 15. "That right Notions of Christ's Kingdom would keep us to right Methods for advancing it."

3. "I own, That the Call of a Minister ought not to be by *Heritors as such*, in regard, that no such Titles or Distinctions of Men are known in the Kingdom of Christ; the only *Heritors* there, are they who are rich in Faith, they being Heirs of the Kingdom; these are they who are *precious* in the Sight of the Lord, and *honourable*: And I am of Opinion, that, in dispensing the Privileges of Christ's Kingdom, we ought to put Honour and Value upon Men, not upon the Account of their worldly Heritages, but as they are valuable in the Sight of God, and as his Image is to be found upon them."

This *Proposition* stands supported by the following

ing Scriptures, *Isa.* 15. 4. *Isa.* 43. 3, 4. *Col.* 3. 10, 11. *Rom.* 10. 12. *1 Cor.* 12. 13. *Gal.* 3. 28. Chap. 5. 6. *James* 2. 1, 2, 3, 4, 5, 6.

4. " That the Election of Ministers ought not
 " to be by Heritors as such, far less these not, of
 " our Communion, nor any other Set of Men, but
 " by the Church; and I think, I have good Reason
 " to refuse that any Minister has God's Call,
 " who has only a Call from Heritors *renitente &*
 " *contradicente Ecclesia*. ——— I cannot see the
 " Authority of the King of Zion giving War-
 " rant to confer the Power of Voting in the Election
 " of Ministers upon *Heritors* beyond other Christians,
 " especially when in the said Act (*viz.* Act
 " 1732) Heritors *disaffected* to Church and State,
 " are put on a Level with these of *our Communion*.

" (5.) There is a *twofold* Call necessary
 " for a Man's meddling as a Builder in the
 " Church of God; there is the Call of God, and
 " of his Church. God's Call consists in his *qualifying*
 " a Man for the Work, and his *inspiring*
 " him with an holy Zeal and Desire to employ
 " these Qualifications for the Glory of God, and
 " the Good of his Church: The Call of the
 " Church lies in the free Call and Election of the
 " *Christian People*; the Promise of *Conduct* and
 " *Counsel* in the Choice of Men that are to build
 " the Church, is not made to Patrons, Heritors,
 " or any other particular Set of Men, but to the
 " Church, the Body of Christ." These two last
 " Propositions are founded upon *Acts* 1. 23. to the
 " Close of the Chapter, *Acts* 6. 2. ——— 7. Chap. 14.
 " 23. *2 Cor.* 8. 19, 23. *Heb.* 5. 4, 5. *Eph.* 4. 11.
 " 12, 13. These, and other Texts of Scripture,
 " have been insisted upon with great Evidence by

most

most eminent Hands both at Home and Abroad, as clear Proofs of what is contained in the above Propositions; and we are heartily sorry, that a Minister of this Church, who professes to be of the *Presbyterian* Perswasion, should have been at so much Pains and Labour to *invalidate* and *throw away* these Weapons, which have been managed so succesfully in Defence of our *Presbyterian* Constitution, particularly that valuable Branch of it relating to the *Rights* of the Christian People; altho' we don't think that there is such Evidence and Demonstration in what he has said, as his Admirers do alledge.

The above *Propositions* contain the Substance of the *Answers* made to the *Remarks*; and we humbly think, that they are *clearly* founded on the Word of God, as we have endeavoured to make appear; upon which Account we cannot but *confess* and *own* them: And therefore, if, according to the Assembly's Order, we should *retract* our *Protestation* against their Sentence, declaring them to be *offensive*, and tending to *disturb* the Peace and good Order of this Church, we should be guilty of *betraying* the Truth, and thereby give our Consciences a *Wound* which would not be easily cured.

2do, If we should retract our *Protestation*, we humbly conceive we should give Countenance to *absolute* and *illimited* Church-Authority, even with Respect to these Laws and Constitutions which are not pretended to have the least Foundation in the Word of God: But, because we have enlarged upon this in the Entry, and our Brethren also are to deliver *their* and *our* Sentiments on this Head, we shall not insist upon it here, Only we

we beg Leave to lay before this Reverend Commission the Judgment of our worthy Forefathers of the Protesting-side, with respect to absolute Church-Authority, when it began to set up its Head in their Day, as it is contained in a Print emitted by them, intituled, *Protesters no Subverters*, p. 47. The Brethren for the *publick Resolutions* object against them, That, without illimited Submission, they did not see how Unity and Order could be maintained in the Kirk, it being in vain to think of a Remedy by superior Judicatories without this, the refusing thereof being the Way to make all Union void.

To which they answered, “ This is the very
 “ Argument and Language of the Advocates of
 “ the *See of Rome*, whilst they plead the Pope’s
 “ visible Headship and irrefragable Authority and
 “ Jurisdiction over the Church, to which all
 “ ought to submit without Gainsaying or Counter-
 “ acting ; the very Thing that hath set up the
 “ Man of Sin, to sit as God in the Temple of
 “ God, to the enslaving both of the Word of
 “ God, and the Consciences of Men, by requiring
 “ of them Subjection and blind Obedience to his
 “ Dictates, without examining the same according
 “ to the Light of the Word. If, according
 “ to the revealed Will of God, there ought to be
 “ such a Submission in all Cases without counter-
 “ acting, what shall we say of the Practices of the
 “ Prophets and Apostles, and others of the Ser-
 “ vants of God, who have lived before us in cor-
 “ rupt Times ? Must all their Preachings and other
 “ Actings, tho’ most agreeable to the Word of God,
 “ be condemned, because they were contrary to
 “ the Determinations of the Church wherein they
 “ lived ?

lived, that were indeed to set up a Power over the Word of God, a Power for Destruction, and not for Edification ; that would indeed make a sinful Unity and Order, and teach a Way to avoid Persecution, and readily to obtain Peace with Men, but with the Loss of Truth and of a good Conscience. The Way to preserve Unity and Order in the House of God, is not to hearken to the Counsels of Flesh and Blood, by setting up the Will of Man for a Law, and establishing an arbitrary and tyrannical Power over Consciences, to which they shall be tied to submit to Iniquity and Unjustice ; for God hath said, *That the Throne of Iniquity that frameth Mischief into a Law, shall have no Fellowship with him* : And therefore, that may destroy Unity and Order, it will not preserve it. But to let the Word of God (which is both the Rule and Bond of Unity and Order) have Place, Gal. 6. 16. and Judicatories proceeding according to this, is an effectual Remedy *actu primo & objective*, as in every Ordinance of Christ ; albeit *actu secundo*, there is no efficacious Remedy in either Word, Sacraments, Admonitions, Suspension, Deposition, Excommunications, Presbyteries, Synods, or any Ordinance the Church doth enjoy or can exercise, without the effectual Blessing and Influence of the Spirit of God, who is the Author and Appointer of these, and concurrereth therewith upon the Consciences of Men, according to the Pleasure of his own Will. Shall Persons sentenced unjustly submit ? Yes, say our Brethren, for preserving Unity and Order. What Remedy then, say we, for preserving the Truth ? They may appeal, say they.

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“ But, say we, They have appeal’d, and have therein
 “ succumb’d, What Remedy now? No Remedy,
 “ but that at one Stroke the precious Truths of
 “ God and Interests of Jesus Christ must be born
 “ down and buried in Oblivion, and the Saints
 “ and Ministers of the Gospel be buried under
 “ the Rubbish thereof, because an Assembly
 “ will have it so. But, say our Brethren, How
 “ shall Unity and Order otherwise be preserved
 “ in the Church of God? We answer, Very
 “ well, because, if the Sentence be unjust, it ought
 “ to be recognized and repealed; if it be just,
 “ and of an inferior Nature, if the Persons will
 “ not submit, they are, after due Procedure, to be
 “ cast out, as those that will not hear the Church;
 “ and so both Unity and Purity, both Order and
 “ Truth, are preserved. Will our Brethren, un-
 “ der a Pretext of Order, destroy Christian Liber-
 “ ty, and bring in Popish Tyranny? It is Christ’s
 “ Order, and the King of Saints Peace, that eve-
 “ ry Believer have the Judgment of Discretion,
 “ whether the Judicatories of the Kirk speak ac-
 “ cording to the Scriptures, or whether they ought
 “ to obey or submit, or gainsay or counteract;
 “ and what Christ has given them, no Man can
 “ take from them.”

These their *Principles* and *Practice* they main-
 tain’d, by a great Variety of *Arguments* through
 the whole of the said Paper, particularly towards
 the Close of it, which are exactly *applicable* to our
 present Case, and to which we *refer*, not being
 ashamed to take up the *Testimony* of these Wor-
 thies.

And because no doubt severals may perhaps
 take Occasion, by our present Conduct, to *mis-*
represent

represent us as Men of singular and divisive Principles, which is usual in Cases of this Nature; Therefore we embrace this Opportunity, in Conjunction with our two Reverend Brethren, to *confess and own*, before this Reverend Commis- sion, the whole Principles of our holy Religion, as they are contained in the *Westminster Confessi- on of Faith*, to be agreeable to, and founded upon the Word of God; and adhere to our Subscriptions thereunto, as the *Confession of our Faith*. And particularly, because there was lately a Process against Professor *Simson* for denying the *Necessary Existence* of the Son of God; and that the Three Persons in the Godhead are not *One Sub- stance* in Number, which was found proven by former General Assemblies; yet they inflicted no higher Censure for venting these *Blasphemies*, than a *Suspension from Teaching and Preaching*, till another Assembly should think fit to take off the said Sentence, neither have ever yet asserted these fundamental Truths, in Opposition to the bold and impious Attacks made upon them, altho' earnestly desired by *Petitions and Instru- ctions* from Synods and Presbyteries: Therefore we take this Opportunity to *Declare*, That we *Be- lieve and Confess*, That the Three Persons of the glorious Trinity are *One Substance* in Number, equal in Power and Glory; and that Jesus Christ the second Person is the *Supreme, Self-existent, and Independent God*, equal and co-essential with the Father: And we *Believe*, That he is the *alone Head, King and Lawgiver* of his Church, in Opposition to all who have invaded his *Roy- al Prerogative*, either in former Periods of this Church, or at this present Time. That it is one

of the *valuable Privileges* wherewith he hath vested his People, that they should have the *Choice* of their own Pastors, who are to have the Charge and Oversight of their Souls; and that there ought to be *no Difference* in the Affairs of Christ's Kingdom between *Bond or Free, Rich or Poor*, but that all are *one* in Christ Jesus.

We further *confess* and *own*, That we are of *Presbyterian Principles*; and *believe*, that there are *no other Officers* of Christ's Appointment in his House above these of *Teaching and Ruling Presbyters*; and that no Presbyter ought to have any *Jurisdiction*, or exercise *lordly Dominion*, over his Brethren. And we *believe*, That the Government of the Church by a due *Subordination* of *Judicatories*, such as *Kirk-sessions, Presbyteries, Synods and Assemblies*, is the *only Government* that the Lord Jesus Christ has instituted and appointed in his House: But at the same Time we *believe*, That the Authority of any of these *Judicatories* is not *absolute and unbounded*, but *limited* by the Word of God, to the *Edification*, and not to the Destruction of the Body of Christ: And therefore, when they break this Line of *Subordination*, and do not act in a Consistency with the Word, then their Authority is to be *disregarded*, as coming in Competition with the Authority of God. And we embrace this Opportunity to declare our *Adherence* to the *Representation* of some Ministers of the Presbytery of *Dunfermline*, anent the Act of the late General Assembly concerning them; and, having considered the said *Representation*, we judge it a *seasonable Testimony* against the *arbitrary Measures and violent Settlements* that take Place at this Day. And,

And, lastly, We own and embrace the *Worship and Discipline* practised in the Church of Scotland, according to the *Word of God, Directory for Worship, Books of Discipline*, and the *Acts* of our approved General Assemblies since our Reformation: To which Doctrine, Worship, Discipline and Government we resolve, through Grace, firmly to adhere all the Days of our Lives; to which we reckon ourselves likewise bound by our *National Covenant*, and also by the *Solemn League and Covenant*, sworn at first by the three Nations, and afterwards renewed in Scotland, with a *solemn Acknowledgment of Sins, and Engagement to Duties*; which Oaths and Covenants we look upon as binding and obligatory to the latest Posterity, and that the Breach of them is none of the least Causes of the Lord's Anger and Controversy with this Church and Land at this Day.

But if, notwithstanding of what is above-represented by us and our other two Brethren, the Commission shall think fit to be the Executioners of the unjust Sentence of the last Assembly against us, or any one of us, who have protested against the forekaid Procedure of that Assembly; We do hereby concur with, and adhere to, the Protestation of our two Brethren, Mr. William Wilson, and Mr. Alexander Moncrieff: And therefore we do, with all imaginable Freedom, and after mature Deliberation, PROTEST; LIKEAS, by these Presents, we do hereby PROTEST against any Censure that may be inflicted upon us, or any of us, affecting our Ministerial Office, or the Exercise thereof, as null and void in itself; and that it shall be lawful and warrantable for us to exercise our Ministry, as hitherto we have

have done, as if no such Censure had been inflicted upon us; And that in regard we are not convicted of *departing* from any of the received Principles of this Church, or *counteracting* our Ordination Vows and Engagements; But, on the contrary, are sentenced to Censure by the late General Assembly, for *protesting against* a Decision, whereby we conceive some of the *Truths* which we are obliged to own and confess are *injured*, and whereby we are laid under the *new* and *unwarrantable* Term of Ministerial Communion above-mentioned, which we look upon as *inconsistent* with the Word of God, and our Ordination Vows, as also, for all the above *Reasons* and *Causes* (mentioned by us and our other two Brethren) why we cannot *retract* our Paper given in to the late General Assembly. And further, we do PROTEST, That if in Consequence of any Censure inflicted upon us, whether of *Suspension*, or of an *higher Nature*, any Minister or Probationer shall exercise any Part of our Ministerial Work in our respective Congregations, the same shall be held and reputed as an *Intrusion* upon our *Ministerial Labours*. As also, we PROTEST, That if any Minister shall be settled in our Congregations, that the same shall be held and reputed as an *Intrusion* upon our *Pastoral Charges*; and that the People of our respective Congregations shall not be obliged to *own*, or *knowledge* or *submit unto* such, as their lawful Pastors, seeing we were ordain'd to take the Oversight of them with their *own Call and Consent*, and with the *Consent* of the *Presbytery* into which we were received, and have not been convicted of *receding* in any Point from our Ordination Vows

Vows and Engagements. And, Lastly, We protest, That, whatever *bad Effects* may follow upon the Course taken with us, we shall not be chargeable with them.

But if, after all, the Commission shall think fit to execute the above *unjust Sentence* against us; then, adhering to this our *Representation* and *Protestation*, we commit our Cause to him who judgeth righteously, and who executeth Righteousness and Judgment for all that are oppressed, *Psal. 103. 6.* We firmly believe, that, whatever Measures are now taken, the Lord will arise and have Mercy upon Zion; and, when the Time to favour her is come, he will appear in his Glory, and regard the Prayer of the Destitute; upon which Account the People which shall be created shall praise the Lord.

EBENEZER ERSKINE.
JAMES FISHER.

What follows, is the Paper that was given in to the Commission of the General Assembly by Mr. William Wilson Minister of the Gospel at Perth, and Mr. Alexander Moncrieff Minister of the Gospel at Abernethy.

Unto the very Reverend the Moderator
and remanent Members of the Com-
mission of the General Assembly of
the Church of Scotland, met at E-
dinburgh the 8th Day of August 1733.

The Humble Representation
of Mr. *William Wilton*
Minister of the Gospel at
Perth, and of Mr. *Alexander*
Moncrieff Minister of the
Gospel at *Abernethy*.

Right Reverend,

WHEREAS we are cited by the late
General Assembly of this Church,
to appear before this Meeting of
the Commission, because of our
Adherence to a Protestation given in by Mr. *E-*
benazer Erskine Minister at *Stirling* against a *De-*
cision of the said Assembly affirming a *Sentence*
of the Synod of *Perth* and *Stirling* past against
him for some Expressions emitted by him in his
Ser-

Sermon preached at the Opening of the said Synod, in *October* last; and whereby the said Assembly did, not only *condemn* the *Expressions* alleged to be uttered by Mr. *Erskine*, as contained in the Minutes of the foresaid Synod's Proceedings, but also his *Answers* thereto, and appointed him to be *rebuked* and *admonished* at their own Bar.

We beg Leave to lay open our Case before the very Reverend Commission; and, as we shall endeavour with all Sincerity and Freedom to declare the *Sentiments of our Hearts*, so we may reasonably hope and expect, that our Reverend Brethren, according to the Laws of our common Lord and Master, will make the most favourable Construction upon the same.

It appears to us, both from the Proceedings of our own Synod, and from the Decision of the late General Assembly in the present Case, that the Thing that was judged most *offensive*, and to tend to *disturb* the Peace and good Order of this Church, was the *Freedom* and *Plainness of Speech* that Mr. *Erskine* used in his Sermon, against the Act of Assembly 1732, and the *violent* Settlements of Ministers that take Place in all Corners of this Church: And we must sincerely own, that the Views we had of the said Act of Assembly, and of the *Unwarrantableness* of the foresaid Settlements, led us first to *dissent* in this Affair from the Sentence of our own Synod, and afterwards to *adhere* to the *Protest* against the Decision of the late General Assembly.

When we considered, that, by the Act of Assembly 1732, a Minister may be ordained into a vacant Congregation, and the Pastoral Relation constitute, tho' all the People and Elders of the Pa-

rish are *reclaiming* against the Settlement; since the Act gives the *decisive Voice* to the Majority of the *conjunct Meeting* of Heritors and Elders; and also, that by this Act, tho' the Heritors have no Residence at all in the Parish, yet, if they are *supernumerary* to the Elders and residing Heritors, they may *impose* a Minister upon them: And likewise, tho' it was moved in open Assembly when the Act was framing, and press'd by *Instructions* from many Presbyteries, that the Power of Electing and Calling Ministers should be *restrited*, at least, to Heritors of the *Communion* of the Church of Scotland; yet, in the Act complained of, it is given in general to *Heritors*, being Protestants; whereby this *valuable Trust* is committed to such Heritors as are, not only *open* and *declared Enemies* to our excellent *Presbyterian Constitution*, but *disaffected* to the late *happy* and *glorious Revolution*, and to the *Protestant Succession* in the ILLUSTRIOUS Family of Hanover: When, we say, we considered these Things, which are not *strain'd Consequences* from the Act, but plainly *declared*, or *intended* by it; it could not but be very affecting to us, that an Ecclesiastical Trust and Privilege is put into the Hands of Heritors, *as such*; and that, by an Act of *Assembly*, a Door should be open'd for *thrusting* Ministers upon Congregations, in Opposition to the *declared Minds*, both of the Elders and People, who are willing and ready to submit to the Ordinances of the Gospel dispensed according to the Institution of Christ. Yea, it was *grievous* to us, that, by an Act of Assembly, a Power is put into the Hands of such as are *disaffected* to our most valuable Interests and Privileges

vileges to *impose* Ministers on all the Congregations in *Scotland*, where they have the Ascendant; and the *violent Settlements* that have already taken Place in some Corners of this Church, and which it is pled are founded upon the Act, are an evident Declaration, that 'tis conceived in such Terms, as that it appears to us to be *directly contrary*, not only to the Laws and Institutions laid down in his Word by our Lord Jesus, the only Lord and Lawgiver unto his Church and People, but also contrary unto the Discipline of this Church sworn to in our *National Covenant*. And, as we did, upon the above, and the like Considerations, judge the Act complained of to be a *dangerous Thrust* at our Presbyterian Constitution, and of a *fatal Tendency* towards the Revolution-interest in *Scotland*; so we look'd upon it as a Truth *seasonably delivered*, tho' it is among the *condemned* Expressions in that Sermon, that,

“ Whatever Church-authority is in that Act, yet
 “ the Authority of the Head of the Church is *not*
 “ in it; and that it has no Foundation in Scrip-
 “ ture, where no Distinction is made in spiritu-
 “ al Matters betwixt the rich Man with the Gold-
 “ ring in gay Clothing, and the poor Man.”

When the Synod, whereof we are Members, did take the *now-condemned* Expressions under their Consideration, we and several others of our Brethren did insist that this Affair might be dropt: We represented the *dangerous Effects* that a *forward Pushing* of it might produce; and herein we have Peace in our own Minds. But, when the Synod thought fit, by a small Majority, to *condemn* some Expressions emitted by Mr. *Erskine* in his Sermon, we judged it our Duty to *dissent* from

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 some Expressions emitted by Mr. *Erskine* in his
 Sermon, we judged it our Duty to *dissent* from

the *condemnatory Sentence*, and that because it appeared to us to lay a *Restraint* upon Ministerial Freedom and Faithfulness; and to determine a Point, which, so far as we know, was not at that Time determined by this Church in any of her Acts of Assembly, namely, That Ministers are not upon some proper Occasions to declare from the Pulpit the *Evil* and *Sinfulness* of a particular Act of Assembly; and for other Reasons, contained in the subscribed *Reasons of Dissent* given in to the Synod.

When the Affair came before the late General Assembly, we insisted at the Assembly's Bar, That we might be heard upon our *Reasons of Dissent* from the Sentence of our own Synod; This we judged to be our *Right* and *Privilege*, and what we do not know if ever it was denied to any; yet the General Assembly thought fit to refuse us a Hearing: Therefore, when the Assembly *affirm'd* the Sentence of our Synod, we thought we had no Way left us for our just Exoneration, but to *adhere* to Mr. *Erskine's* Protestation, in the Terms in which our *Adherence* is conceived; namely, "We do hereby adhere to the above
 " *Protestation* and *Declaration*, containing a
 " *Testimony* against the Act of Assembly 1732,
 " and *asserting* our Privilege and Duty to *testify*
 " publicly against the same, or like Defections,
 " upon all proper Occasions."

It was very heavy and afflicting to us, that we found ourselves obliged to *protest* against a Decision of the supreme Judicatory of this Church: But, the Sentence of *Rebuke* and *Admonition* at the Assembly's Bar being past for such Things as

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we conceived to be a Minister's Duty, agreeable to the Word of God, and Constitutions of this Church ; we found ourselves obliged, for the Exoneratation of our Consciences, to *adhere* to the Protestation in the above Terms : And we beg Leave to lay before the Reverend Commission some of the *Reasons* that led us into this *quarrelled and condemned* Step.

1^{mo}, The Decision of the late General Assembly appeared to us to be a plain *Inhibition* upon the Ministers of this Church, against declaring the *Evil and Sinfulness* that they evidently apprehend to be in the Act of Assembly 1732, and in the *violent Settlements* of Ministers, which are now so frequent. If this Cause had been Mr. *Erskine's personal Cause*, we should have been silent, and never opened our Mouths against the Decision of the General Assembly ; but we judged it a Cause wherein *all the Ministers and Members of this Church* are very nearly concerned : The Decision of the General Assembly in this Case being, as we thought, a plain *Directory* to all the inferior *Judicatories* of this Church, how to behave, if any Minister should, upon proper Occasions, *lament* from the Pulpit the *Sinfulness* of that Act of Assembly, and of other unwarrantable Proceedings of this Church, in the Settlement of Ministers ; then, and in this Case, they must be brought to the Bar of their respective Presbyteries, and there they must be *rebuked and admonished*.

2^{do}, We judged the Decision of the late Assembly in this Affair to be such as lays down a *new Term* of Ministerial Communion amongst all the Ministers of this Church, namely, That they should not open their Mouths in the Pulpit against
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this or any particular Act of Assembly, however *sinful* in its own Nature, or against the Proceedings of the Judicatories of this Church, however *unlawful* and *unwarrantable*. We are indeed bound at our Ordination to subject ourselves unto the Judicatories of the Church, but it is not an *absolute Subjection* that we engage unto: It is not a *blind* and *implicite Obedience* that we bind ourselves unto, but a Subjection *in the Lord*, a Subjection *qualified* and *limited* by the Word of God, and the received and known Principles of this Church: And we could not think that ever it was declared to *belong* to the Constitution of the reformed Church of *Scotland*, or that it is a *fixed* and *established* Term of Ministerial Communion amongst the Ministers thereof, to bind themselves, by their Ordination Vows and Engagements, so far to an *implicite Subjection* to every particular Act of Assembly, and to Acts of Assembly that were not in Being when they were ordained, as *not* to open their Mouths from the Pulpit against them, even when they threaten *Ruin* and *Destruction* to the Work and Interest of Christ in this Church: Such a Principle as this, we are persuaded, is *contrary* to our Reformation-principles, and one of the *great Engines* by which Antichrist doth still maintain his Seat; it would open a Door for a *Current of Defection*, and would wrest out of our Hands a successful and approved Mean by which the reformed Churches were brought from under *Antichristian Bondage* and *Darkness*.

310, We judged, That, as there is no Law restraining us from the Exercise of this Privilege and Duty, of *testifying seasonably* against such Acts of Assembly as appear to us to be *subversive* of our

our Constitution ; so to *impose* a Silence upon us, from testifying on proper Occasions against the Act 1732, is to make it a Part of our Standards, to which we are bound at our Ordination : And, at this Rate, all Acts of Assemblies, not only those made *before* our Ordination, but these that should be enacted for Twenty or Thirty Years *after* our being ordained to the Ministry, are also Parts of the Standards of this Church, which cannot be supposed. But, if we are to acknowledge any particular Acts of Assembly as *Standards*, then they must be such as were *in Being at our Ordination*, and, among others, the Act of Assembly 1649, in which the Rights of Christian Congregations to chuse their own Pastors, is so far *secured*, that Provision is made, That Ministers shall not be settled among them without the Call of the Eldership, and Consent of the Congregation ; and this would be so far from *binding us to Silence* about the Act 1732, that it would oblige us to *declare against it*, as being *subversive* of an Act, to which we are hereby supposed to have been engaged as a Part of our Standards at our Ordination.

410, The *Sense* and *Impression* we have of our Ordination Vows and Engagements moved us to take the Step that is now so much condemned. We have engaged and promised, “ Never to
 “ endeavour, directly or indirectly, the Preju-
 “ dice or Subversion of Presbyterian Church Go-
 “ vernment and Discipline ; and that to the ut-
 “ most of our Power, in our Station, we shall
 “ assert, maintain and defend the same.” And when we evidently saw that the Act of Assembly 1732 gives a deep Wound unto our Presbyterian-
 Con-

Constitution, and that it opens a Door for the Entry of a *corrupt Ministry* into the Church, as wide as even the Patronage-Act itself; and that, by the Decision of the late Assembly, the Mouths of Ministers are *shut* from testifying against this or the like Evils; We reckoned that we acted not according to our Solemn Engagements, and that we did not according to our Power, in our Stations, *assert, maintain and defend* our Presbyterian Church Government and Discipline, if we had not *protested* for our just Privilege and Duty to *testify* against the above-named or like Defections upon all proper Occasions.

510, Another Thing which had Weight with us for taking the *quarrelled and condemned* Step. We came to the Bar of the Assembly 1732, with several others of our Brethren, with a *Representation and Petition*, when this Act was in the Shape of an *Overture*, against turning it into a *standing Act*: We represented also many other *Grievances*, that we have too just Ground to complain of; as to some of which, it is in the Power of the Church to apply *effectual Remedies* unto them, and to do more for the *Redress* of others than they seem to be disposed or inclined unto. And, as to the Act complained of, the most Part of Presbyteries having never agreed to it, in the Terms in which it is past, we must look upon it as enacted in *Opposition* unto a standing Rule of this Church, regulating the Manner of passing *Overtures* into a standing Law: And likewise, some Synods and many Presbyteries having by Instructions and Representations *remonstrate* against it at the last Assembly; this, with what is already represented, makes it evident to

us, that, as this particular Law was not *unalterably fixed*, so it is still the more reasonable and necessary to attempt its *Amendment*, by laying open its *Defects*, especially in a *Synodical Sermon* before a Meeting of *Church-officers*, who bid fairest to have it rectified in a regular Way : And this cannot be reckoned an *Exposing* of the supreme Court, any more than the moving in a Presbytery or Synod for an *Instruction* to the General Assembly, to have such Acts, as are judged to be either unlawful or inconvenient, *rescinded* or *amended*. And, as this is the Privilege of any Member of a Synod to make such a Motion, when there may be a Multitude of By-standers present, it may make the same Impression upon them, that the supreme Court has fallen into a *Mistake*, as if it had been said in a Sermon ; only with this Difference, that there may be more Hearers of a Sermon than can be conveniently present in a Synod-house, which we think is not very material. All these Things being considered, we judged it our Duty to *declare*, and that with the Solemnity of a *Protestation*, before the late General Assembly, for our just Right and Privilege to *testify* publicly against *that Act*, or the like *Defections*, upon all proper Occasions.

These are some of the Reasons that led us into an *Adherence* to the *Protestation* : And we beg Leave to add, That, if Mr. *Erskine* had only been quarrelled for *some particular Modes of Expression* which he thought fit to use, whatever our *private Sentiments* might have been about the Lawfulness or Warrantableness of them, yet, as we declared in our *Reasons of Dissent* given in to the Synod, we should never have differed from

our Brethren on that Score, and far less would we have *protested* against the Decision of the supreme Judicatory of the Church: But it is not simply the *Manner of Expression*, but *some Truths of God seasonably delivered*, that we judged to be condemned, first by the Synod, and then by the General Assembly.

We stand now before the Reverend Commission, *condemned* by the General Assembly for our Conduct in offering to *protest*, and in giving in the Paper subscribed by us; and we are ordained to compear before this Meeting of Commission to *shew our Sorrow* for our Conduct and *Misbehaviour* (as the Assembly are pleased to term it) in offering to *protest*, as said is, and in giving in the Paper subscribed by us, and also we are appointed to *retract* the same; and, if we do not show our Sorrow, and retract our Paper, the Commission is impowered (and appointed to *suspend* us from the Exercise of our Ministry; and in Case we act contrary to the Sentence of Suspension, the Commission is also impowered and appointed at any subsequent Meeting to proceed to a *higher Censure* against us.

As the Ministry which we have received from the Lord ought to be *dearer* to us than the most valuable Things in Time, so a Sentence *depriving* us of the Exercise of it cannot but be *heavy* and *afflicting* unto us. We have Ground to be sensible, that there are innumerable Sins, Failings and Shortcomings with us, for which a righteous and holy Lord may justly reject and cast us off; but we are not conscious to ourselves of any Thing done against our Brethren that deserves such

such a severe Censure from them. What Trespas have we committed against any Article of our *Confession of Faith*? Or, wherein have we transgressed against any of the *received Principles* or the *approved Rules* of this Church, that our *Mother's Sons* are so very angry with us, as to threaten to cast us out of our Lord's Vineyard? We were under no Process, neither were we libelled for any Transgression; but we judged it our Duty to *sit* ourselves at the Bar of the last Assembly, to vindicate our *Dissent* from the Sentence of our own Synod: For we thought it might have been interpreted a *deserting* the Cause and *giving up* with our *Dissent*, if we had not owned it before the Assembly; and, when the General Assembly thought fit to *affirm* the Synod's Decision, we judged it our Duty, and we thought it was our Privilege, as we are Ministers and Members of the Church of *Scotland*, to give in our subscribed *Adherence* to the *Protestation*, for the Reasons above-connedended on. And we beg Leave here to represent a few Things unto the Reverend Commission, concerning the *Manner* of passing the above Sentence against us.

Having retired after the giving in of our Paper, we and our two Brethren received a *Summons* about Eleven of the Clock the same Night by the Assembly's Officer, to *compear* before the General Assembly at their Meeting Ten of the Clock next Day; and having accordingly appeared before the Assembly in Obedience to their Summons, without any Questions put unto us, a Committee was appointed to retire immediately, and to *deal* with us to withdraw our *Protestation*; and we having removed, and waited on that Committee,

laid before them some of our Reasons why we could not withdraw our Paper: The Committee returned, and made Report, That we continued resolved to *adhere* to our Paper and *Protest*; but none of our Reasons were reported, so far as we know, unto the General Assembly; but, upon the Report made by the Committee, we were ordered to *remove*, and wait the Assembly's Judgment: And, when we were removed, the *Overture*, now turned into an *Act* and *Sentence* against us, was read, reasoned upon, and voted; we never heard it till our Sentence was intimate to us at the Bar: We cannot therefore but complain, that we have been *judged* and *condemned* without ever being *heard* in our Cause before the General Assembly. When we sisted ourselves as *Dissenters* from the Synod's Sentence, before the Assembly, we were then refused a Hearing; and, when we were brought unto the Assembly's Bar for our *Protestation*, neither we nor our Brother were allowed to speak upon the *Relevancy* of the Crime alledged against us, for inferring such a heavy Sentence as is now past: And we doubt if History can afford a Parallel of such *summar Procedure* in so *grave* and *weighty* a Sentence as that of the *Suspension* of four Ministers from the Exercise of their Ministry, except it be in such Courts where *absolute Authority* has born the Sway. We leave it therefore to the Judgment of the Reverend Commission, if it is *expedient* or *reasonable* to execute a Sentence, against us, past in the above *sudden* and *summar* Manner.

But, if the Reverend Commission shall find themselves obliged by the *Act* and *Sentence* of the
last

last General Assembly to demand of us, that we *show our Sorrow* for our Conduct that gave the Assembly so much Offence, and that we *retract* the Paper that we gave in; then we must sincerely *declare* before the Reverend Commission, That, as we are not convinced in our own Consciences of any just Ground of Offence that we have given, so we should be guilty of gross *Dissemblation*, if we should express our *Sorrow* for it; and, as we cannot find any Thing contrary to the Duty that we owe unto the supreme Judicatory of the Church in the Paper that we subscribed, so we dare not *retract* the same. And we beg Leave to lay open before the Reverend Commission, what it is that sticks with us, why we cannot comply with their Demand:

Ans. We cannot understand what there is in the subscribed Paper we gave in, and which we protested might be read, and recorded in the Minutes of the Assembly, that has given so much Offence. Is it because we make Use of the Word PROTEST? We hope the Reverend Commission will credit us, when we sincerely declare, That we had no Design thereby to impugn the Power and Authority of the General Assembly to *censure* any of the Ministers and Members of this Church upon *just* and *relevant Grounds*, or the Exercise of that Power and Authority according to the Word of God, and the known Principles of this Church: Our *Protestation* is so far from impugning the just Power and Authority of the supreme Judicatory of the Church, that it plainly *acknowledges* the same. A *Protestation*, as we understand it, is only a *solemn, attested Declaration* and *Testimony* against a *wrong Decision*, or against what is judged

ed to be an *unwarrantable Exercise* of Ecclesiastical Power and Authority: And, in our present Case, it is our *attested Declaration* and *Testimony*, for what we judge to be a Duty incumbent upon us by the Word of God, namely, to *testify publickly* against that Act of Assembly, and the like Defections of this Church.

We crave Leave further to observe, That, as the Word PROTEST is used in the sacred Records for a *solemn Witnessing* against Sin, and for Duty (1 Sam. 8. 9. Jer. 11. 7.) so it has been used in *this Sense* by the Reformed Churches, who all of them, to this very Day, have their Denomination and Distinction from the Church of Rome from their publick *Protestation* against the Decrees of Charles V. and the States of the Empire, in Prejudice to Religion and Reformation.

2do, We want to know, if *in no Case* the Ministers and Members of the Church may give in a *Protestation* against a Sentence, Act or Decision of the supreme Judicatory; and, if so, then an *absolute irrefragable Power* and *Authority* is set up in the supreme Judicatory, to which all ought to *submit*, without Gain saying or Counteracting: This is the *very Thing* the Pope of Rome pleads for, unto the enslaving of the Consciences of Men, by requiring a *blind Subjection* and *Obedience* to his Decrees, without examining the same according the Light of God's Word; and, if we should *retract* our *Protestation*, we are afraid that we *give up* with a *Reformation-principle*, contended for by all the reformed Churches since the Dawning of Reformation-light, and which, agreeably to the Word of God, is an Article of our *Confession*
of

of Faith, which we have signed, Chap. 31. Art.

4. " All Synods or Councils since the Apostles

" Times may err, and many have erred ; there-

" fore they are not to be made the Rule of Faith

" or Practice, but to be used as a Help in both."

If it is said, That we may exercise the *Judgment of Discretion* ; but that we must keep it within our own Breasts, when it differs from the *publick Judgment* of the Church : We humbly conceive, that the Judgment of Discretion must be exercised both by *Ministers* and *private Christians* for more noble Ends and Purposes, and that they ought to make an *open Profession* of what they are firmly perswaded is *Truth*, especially when it is *opposed* and *born down*, or when they are *called* to it : And Ministers of the Gospel should freely and faithfully *declare the whole Counsel of God*, seeing they are expressly enjoined by their Lord and Master to require of all their Hearers, without Distinction, that they *observe all Things whatsoever he has commanded them*. To allow Ministers only to think within their own Breasts that a Church-decision is *wrong*, is what no human Society ever did, or could pretend to hinder them, or any Man, from doing ; but *Freedom and Plainness of Speech*, in a Consistency with the Word of God, is acknowledged in all the Protestant Churches, to be the *Privilege and Duty* of Ministers of the Gospel. Had *Luther, Calvin*, and others of our reforming Predecessors, thought it sufficient to differ from the Church of *Rome* only in their *private* Opinions, without speaking *freely* against the *Defection* she had made from the Primitive Constitution of the Christian Church, the *Reformation* had never been heard of, and

we

we would to this Day have *continued* under Anti-christian Bondage and Darkeness.

▼ If it is alledged again, That this *disturbs* the Peace, Quiet and good Order of the Church; we humbly judge the best Way for maintaining a *laudable Peace* and *right Order* in the House of God, is, That the Judicatories of the Church, who *can do nothing against the Truth*, should evidence their Proceedings and Decisions to be according unto the *Law* and to the *Testimony*.

310, If we *retract* the Paper we gave in, we thereby *submit* to a Decision of the Assembly, bearing that Ministers are to be *rebuked*, if upon some proper Occasions they testify against the Act of Assembly 1732. And this we *cannot* do, in regard that as we are convinced in our own Minds of the *Sinfulness* of that Act, and of its *dangerous Tendency* towards the Church of *Scotland*; So we judge we would be *unfaithful* unto our Ministerial Trust, and unto the Charge and Commission we have received from our Master, and also walk *contrary* to our Ordination-engagements, if we did not upon some proper Occasions testify against the same; and we humbly judge, no Sentence of any Church-judicatory can loose our Obligation to that which the Word of God and our own Consciences dictate to us to be *Duty*.

410, *Protestations* against the wrong and unjust Decisions of Ecclesiastical Courts, have been one *special* Mean by which a Testimony has been kept up for Truth in the Church: This has been practised in some Cases in the Church of *Scotland*, as the Reverend Commission may very well know. And, if we *retract* our *Protestation*, we humbly think we *give up* with what is our just *Right* and

and *Privilege*, and with what has been *practised* in former Times, and with what is an *useful* and *necessary* Mean for transmitting a Testimony to Truth from one Generation to another.

510. If we *retract* our Paper, we give up with our just Liberty and Privilege of *testifying publicly*, not only against *the* Act of Assembly, but also against any other *unwarrantable* and *sinful* Proceedings of this Church. Will the Church of *Scotland* say, she is *pure*, and that there is *no Spot upon her*? We have no Inclination to expose the Church of *Scotland* in the Face of her Enemies; but, since the Preamble to the Act, and Sentence of the Assembly against us, bears, "That the Synod of *Perth* and *Stirling* had found Ground to censure Mr. *Erskine*, and had appointed him to be rebuked on the Account of several indecent Expressions uttered by him in a Sermon preached before the said Synod in *October* last, tending to disquiet the Peace of this Church, and impugning several Acts of Assembly and Proceedings of the Church-judicatories;" Whereby, as we understand it, it is given to us to know, that *none* of the Acts of our General Assembly, and *none* of the Proceedings of our Church-judicatories, must upon any proper Occasion be testified against, without incurring the Censure of *Disquieters* of the Peace of the Church: And, since the *Cause of Truth*, and the *Honour* of the glorious *Head* and *King* of the Church, seem to be so much concerned in this Matter; we cannot but *represent*, amongst other Things grievous and afflicting to us,

That, tho' the *Necessary Existence* of the great God our Saviour was *impugn'd* by Mr. *John*

John Simson Professor of Divinity, and his *de-nying* of the same, as also his *affirming*, That the Three Persons of the glorious Trinity are not *One* Substance in Number, was found clearly proven against him by former General Assemblies; yet the Concern of this Church for these *Foundation-Truths* of our holy Christian Religion, went no higher than a *bare Suspension* of the Blasphemer from the Exercise of *Teaching* and *Preaching*.

Against this Conclusion, That the General Assembly *Anno* 1729 gave unto so *weighty* and *important* an Affair, we thought it was plain Duty to have *protested*, as not being a Censure adequate to the *Grossness* of the Errors that had been proven against the said Mr. *Simson*: But some Hopes were entertained at that Time of having that Matter *redressed*, by addressing the following Assembly; and this had Weight with some Reverend Brethren *not to insist* for recording the *Dissent* offered on that Occasion, and prevailed with others to rest in a *verbal Declaration* against the fore said Decision.

And likewise, tho' several Synods and Presbyteries, and particularly the Synod whereof we are Members, have address'd the Three bypast Assemblies for an *assertory Act*, declaring and owning the *Supreme Deity* and *Necessary Existence* of our Lord Jesus Christ; yet the Representations of Synods and Presbyteries have *not* been regarded: And these from our own Synod were never read in open Assembly, except that in the Year 1731, which was referred to the Commission; and nothing was obtained of that Commission but a Reference to a very general Act and Recommendation of the Assembly 1730, intituled, *An Act for*
pro-

preventing the spreading of Error, which did no way answer the Design of our Synod's Petition, who insisted for a *Warning* in particular Terms for preventing the spreading of the above dangerous Errors vented by Mr. Simson, and which we thought was necessary for vindicating the Honour of him who is *God over all blessed for ever*, which was attack'd in so *bold* and *daring* a Manner.

It is also grievous to us, that, tho' many gross Errors were found by a Committee of Assembly proven against Mr. Simson, upon the second Libel exhibite against him; yet these were *overlook'd* by our General Assembly, in so far as *no condign Censure* is yet inflicted upon the Offender, and these Errors have *never* been particularly *condemned*, nor has any *particular Warning* been given by the General Assemblies of this Church against the *Sinfulness* and *Danger* of them, tho' desired by Representations and Instructions from Synods and Presbyteries. And we humbly conceive, that a *plain* and *particular Warning* against such Errors as are disseminate in a Church, is a *commanded* and *useful Mean* for preventing the spreading of such corrupt Leaven.

It is likewise grieving to us, that Ministers are not only *intruded* upon Congregations through the Land, in Consequence of the Act complained of; but also, that the *Parronage-act* is so much *homologate* in the Settlement of Ministers on the Foot of *Presentations*, without the Call and Consent of the People of the Congregation concerned; yea, and that these and the like violent Settlements are carried on, in *Opposition* to the *declared Minds* of the Presbyteries of the Bounds,

by Committees of the Commission, or Correspondents appointed from other Presbyteries; and, when People are *groaning* under the Load of such Settlements, and have *not Freedom* to submit to the Ministry of such as are intruded upon them, neighbouring Ministers are *bound up* from dispensing sealing Ordinances unto them, yea, are threatned with the *bighest Censures* of the Church if they should do so; as is the Case of our Brethren in the Presbytery of *Dunfermline*, who are now sifted with us before this Meeting of the Commission: Whereby, as it is now made a *Term of Ministerial Communion* in this Church, that Ministers should *not open* their Mouths from the Pulpit against such unwarrantable Proceedings; so it appears to us, to be made a *Term of Christian Communion* amongst the Members thereof, to *submit* to, and *own* the Ministry of such as are *intruded* into the Lord's Vineyard: And therefore we hereby declare our Concurrence with the foresaid Brethren in the *Testimony* they give against such a *grievous Encroachment* upon Christian Liberty.

It is also grieving and afflicting unto us, that *Representations* and *Instructions* from Synods and Presbyteries concerning these and many other Grievances, which are brought up to our General Assemblies from Year to Year, are *smothered* and *born down* in a Committee of *Instructions*. And, tho' we, with many others of our Brethren, came with a *Representation* and *Petition* to the Assembly *Anno 1732*, concerning these and many other Grievances; yet the Assembly's *Committee of Bills* refused to transmit the same:

And,

And, when we offered the same at the Assembly's Bar, we were *refused a Hearing*; which obliged us to enter a *Protestation* for our just Right and Privilege as Ministers and Members of this Church; to which *Representation* and *Petition*, and *Protestation* taken thereupon, we still *adhere*. And we cannot but upon this Head represent, That these Proceedings of our Assembly give us just Ground to apprehend, that one great End and Design of the Institution and Appointment of the Courts and Judicatories of our Lord's House, which is the *Edification of the Body of Christ*, is is not duly regarded.

We must likewise beg Leave to add, That tho' there is such an *universal Degeneracy* both in Principle and Practice through the Land, and tho' we are under many evident Symptoms of the *Indignation of the Lord*, and tho' Presbyteries from Year to Year have represented the *Necessity* of it to our National Assemblies; yet solemn *National Fasting* and *Humiliation* cannot be obtained: It is laid aside for many Years bypast, as if we were *altogether innocent*, and as if there were *no National Sins* and *Provocations* amongst us against the Holy One of *Israel*.

What is now left for us to do, when *Petitions*, *Representations* and *Instructions* to our several General Assemblies are not regarded? Must we not *doctrinally discover* the Evils that prevail amongst us? and should we not in our Congregations *lament* over them before the Lord? This is the Way that the Prophets under the Old Testament took, when the Ecclesiastical Sanhedrim, the supreme Court of Divine Institution amongst the *Jews*, did decree grievous Things. Particularly,

larly, the Prophet *Jeremiah* laments, in his publick Discourses to his Hearers, that in those Times, not only the People had *defiled the Land*, and *made God's Heritage an Abomination*, but that the Priests said not, *Where is the Lord?* and they that handled the Law knew him not, and that their Pastors had *transgressed against him*, Jer. 2. 7, 8. It is the Way the Apostles under the New Testament did take; it is a special Mean by which Light did break up, when *Papist Darknes* had overspread the Churches; it is also a Mean by which *Reformation-Truth* has been handed down to us. We dare not then give up with a *Reformation Principle and Practice*, in submitting to a Decision which appears to us to *shut our Mouths* from testifying against the *Sinfulness* of some particular Acts of Assembly, and any *unlawful and unwarrantable* Proceedings of the Judicatories of this Church.

Thus we have represented unto the Reverend Commission some of the *Reasons* that straiten us, why we cannot *declare our Sorrow* for our Conduct before the last Assembly, or *retract* the Paper subscribed by us. And, since it appears to us, that, in Consequence of the *Decision* protested against, our Ministerial Freedom and Liberty is *restrained*, and that it is thereby materially declared to be a *Term of Ministerial Communion* amongst us, That we should *forbear* to testify publicly against the Act of Assembly 1732, or any other *sinful or wrong* Proceedings of the Judicatories of this Church; We must therefore beg Leave humbly to *declare*, That, according to *Reformation and Presbyterian Principles*, and according to the Sense we have of the *solemn Engagements*

ments we came under at our Ordination to the Ministry, we cannot submit to such Terms of Ministerial Communion, even tho' our Brethren should from henceforth reckon us *no more* Ministers of the established Church, and tho' they should endeavour to *deprive* us of the legal Advantages that attend the same.

But, lest we should be mistaken, as if we were departing from the Faith, or the received Principles of the Church of Scotland, or were inclined to *divisive* Courses contrary to the Doctrine which we have learned from the Word of God; we crave Leave to make an *open Declaration* of our Principles before the Reverend Commission.

We *believe* and *confess* the Scriptures of the Old and New Testament to be the Word of God, the only Rule of Faith and Manners; "And that the supreme Judge by which all Controversies of Religion are to be determined, and by which Decrees of Synods and Councils, Opinions of ancient Writers, Doctrines of Men, and private Spirits are to be examined, and in whose Sentence we are to rest, is no other but the holy Spirit speaking in the Scriptures." *Confes.* Chap. 1st. Art. 10th.

We also *believe* and *confess* the whole Doctrine contained in the *Confession of Faith*, composed by the Assembly of Divines at *Westminster*, and received by the General Assembly of this Church *Anno* 1647, to be the *Truths* of God contained in the Scriptures of the Old and New Testaments; and this *Confession* we own as the *Confession of our Faith*.

We likewise *believe* and *confess* Presbyterian Church-government, that is, the Government of the

the Church by *Teaching* and *Ruling Presbyters*, and by a due *Subordinating* of the *Judicatories*, the *Inferior* to the *Superior*, to be the *only* Government that the Lord Jesus Christ hath instituted and appointed in his House. And, with Respect to the *Power* and *Authority* that our Lord Jesus Christ has given unto the Office-bearers of his House in their *judicative* Capacity, we *believe* and *confess*, That it is not *absolute* and *illimited*; That it is not a *Lordly* and *Magisterial* Power, but that it is a *Ministerial* and *Stewardly* Power and Authority, an Authority and Power that must run in a *direct* Line of *Subordination* unto the *Word of God*, an Authority for *Edification* and not for *Destruction*; and, in the Words of our *Confession of Faith*, Chap. 31. Art. 3. "It
 " belongeth to Synods and Councils, ministerially
 " to determine Controversies of Faith and Cases
 " of Conscience; to set down Rules and Directi-
 " ons for the better ordering of the publick Wor-
 " ship of God, and Government of his Church;
 " to receive Complaints in Cases of Mal-admini-
 " stration, and authoritatively to determine the
 " same; which Decrees and Determinations, if
 " consonant to the Word of God, are to be re-
 " ceived with Reverence and Subjection, not on-
 " ly for their Agreement with the Word of God,
 " but also for the Power whereby they are made,
 " as being an Ordinance of God appointed there-
 " unto in his Word." Which Article of our
Confession of Faith, we humbly judge, strikes a-
 gainst *Popish Tyranny*, or that *blind Obedience*
 and *Subjection* required by the Church of *Rome*
 unto her *Decrees* on the one Hand; and against
 Secta-

Sectarian Confusion and Disorder on the o-
ther.

We do also own and embrace the *Worship and Discipline* practised in the Church of *Scotland*, according to the *Word of God*, our *Books of Discipline*, and *Directory for Worship*; to which *Doctrine and Worship*, *Government and Discipline*, we resolve, through the Lord's Grace, *firmly to adhere* all the Days of our Lives: And to which we reckon ourselves likewise bound by our *National Covenant*, frequently sworn by all Ranks of Persons in this Land; and also by the *Solemn League and Covenant*, sworn at first by the three Nations, and afterwards renewed in *Scotland*, with a *solemn Acknowledgment of Sins*, and *Engagement to Duties*; which *Oaths and Covenants* we reckon *inviolable* in their Obligation upon the present and all succeeding Generations.

Finally, As we desire to *abhor and shun* all *divisive Principles or Practices* contrary to the fore-said *Doctrine and Worship*, *Government and Discipline*; so we hope we shall always judge it our Duty to *endeavour*, through the Lord's Strength, to *follow after that Peace*, which hath *Holiness and Truth* for its Beauty and Ornament.

As to the Appointment of the late Assembly upon the Reverend Commission to *suspend* us from the Exercise of our Ministry, if we do not *show our Sorrow* for our Conduct before the said Assembly, and *retract* the Paper we gave in; as also to proceed to a *higher Censure* against any of us, who shall be found to act contrary to the said Sentence of *Suspension*; We own, That our *Mission to the Work of the Ministry* is not immedi-

ate, but *mediate* ; or, That we have received our Ministry from the Lord Jesus by the Hands of a *Presbytery*, who, according to the Institution of Christ, have, after Trial of our Gifts and Qualifications, *set us apart* for that sacred Office by *Prayer and Imposition of Hands* : But we must *represent* unto the Reverend Commission, That, we humbly think, we *cannot be deprived of* our Ministry, or the Exercise of it, unless we are *found guilty* of such a Transgression of the Laws and Institutions of Christ, either in Doctrine or Practice, as *forfeits* our Commission, or renders us *unworthy* of this sacred Character ; and *far less* can we be deprived of our Ministry for *walking according* to the Institutions laid down by our Lord and Master in his Word, and for our *strict Adherence* to our Ordination Vows and Engagements, in *refusing* to submit to *unwarrantable* Terms of Ministerial Communion, and which were *not* in Being when we were ordained to the holy Ministry, and which we look upon to be *contrary* to the Engagements we then came under ; and, if this Sentence is execute against us, we must look upon it as done for the *Discharge of our Duty* : And therefore the superior Power and Authority of our Lord Jesus, commanding us *to fulfil that Ministry which we have received from him* ; and *to preach the Word out of Season, as well as in Season*, must in such an Event cast the Balance with us. And, tho' we cannot but look upon it as a *Snare* laid for us, first to *suspend* us from the Exercise of our Ministry, and then to make our *Acting contrary to this Sentence*, that is, our Preaching the Gospel of Christ after we are suspended, the Foundation and Ground of a *higher Censure* ;

Censure; yet, whatever Hardships we may be brought under for the Discharge of our Duty, we hope we shall have this to support us, that we are *suffering for Conscience Sake*. And we are also *encouraged* to the Practice we plead for, when we consider, that the Prophets under the Old, and the Apostles under the New Testament, have *continued* in the Exercise of their Ministry, even when *prohibited* and *discharged* to speak in the Name of the Lord by the Ecclesiastick Courts in their Day, *Jer.* 26. 8, 11. *Acts* 4. 18, 19, 20. & 5. 40. And, from these and the like Scripture Patterns and Examples, some eminent Ministers of the *primitive* Church, and severals in *this* Church and Land, have exercised their Ministry with Success, when *suspended* and *deposed* by Synods and General Assemblies.

Upon the whole, Since we are not only *warranted* from the Principles of this Church, but *obliged*, by our Ordination Vows and Engagements, to take the Step for which we are so much condemned; and since it appears to us, that, by the Decision *protested against*, this Church has *altered* the Terms of her Ministerial Communion, by inflicting her Censures upon Ministers if they testify publicly against the Act of Assembly 1732, or any other Acts of her Assemblies, and Proceedings of the Church-judicatories, however *sinful* and *unwarrantable* they may be; and for no other Reason (so far as we can see) but *merely* because they are the *Deeds of the Church*; and because it is alledged, That these publick Testimonies *disquiet* her Peace; and since, as we humbly conceive, that those *new* Terms of Ministerial Communion are not only *inconsistent* with

our Ordination Vows and Engagements, but *contrary to the Word of God*, and therefore *sinful* in themselves : We cannot but *declare* before the Reverend Commission, That we have *no Freedom* to submit unto them. And further, we are obliged to PROTEST, likeas by these Presents we do PROTEST for ourselves, and in Name of all the Ministers and Members of this Church *adhering* to us, as also in Name of all and every one in our respective Congregations who shall *adhere* unto us, against any Censure that may be inflicted upon us, affecting our Ministerial Office, or the Exercise thereof, as *null* and *void* in itself ; and that it shall be *lawful* and *warrantable* for us to exercise our Ministry as hitherto we have done, and as if no such Censure had been inflicted upon us ; in regard we are not convicted of *departing* from any of the received Principles of this Church, or of *counteracting* our Ordination Vows and Engagements ; but, on the contrary, are sentenced to Censure by the late General Assembly for *protesting* against a Decision, whereby *Injury is done to some Truths of God* which we are obliged to *own* and *confess*, and whereby we are brought under these *new* and *unwarrantable* Terms of Ministerial Communion above-mentioned, which we look upon as *inconsistent* with the Word of God, and our Ordination Vows and Engagements ; as also, for all the above Reasons and Causes why we cannot *retract* our Paper given in to the late General Assembly. And further, we do PROTEST, That, if in Consequence of any Censure inflicted upon us, whether of *Suspension* or of a *higher Nature*, any Minister or Probationer shall exercise any Part of our Ministerial Work in our respective

pective Congregations, the same shall be held and repute as an *Intrusion* upon our Ministerial Labours. As also, we PROTEST, That if any other Minister shall be settled in our Congregations, that the same shall be held and repute as an *Intrusion* upon our Pastoral Charges; and that the People of our respective Congregations shall not be obliged to *own, acknowledge, or submit unto* such as their lawful Pastors; seeing we were ordained to take the Oversight of them, with their own Call and Consent, and with Consent of the Presbytery unto which we were received, and have not been convicted of *receding* from our Ordination Vows and Engagements. And *lastly*, We PROTEST, That, whatever *bad Effects* may follow upon the Course taken with us, we shall not be chargeable with them.

If, notwithstanding of all we have represented, the Commission shall think fit to be the *Executioners* of this *unjust Sentence* against us; then, *adhering* to this our *Representation* and our above *Protestation*, we commit our Cause to him that judgeth righteously, in whom we desire to hope, and on whom, through his Grace, we will wait, till he make the Righteousness of Zion go forth as *Brightness*, and the Salvation of Jerusalem as a *Lamp that burneth*.

WILLIAM WILSON.

ALEX^r. MONCRIEFF.

The above *Representation* was lodged in the Hands of the Clerk to the Commission, with *Instruments* taken thereupon by Mr. *Wilson* and Mr. *Moncrieff*: And they did insist before the Reverend Commission; That their said *Representation* might be read, as containing a full and particular Declaration of their

their Mind upon the *Act* and *Sentence* of the late Assembly concerning them, and as very needful for setting their Case in a just and true Light in an Affair of so great Importance and Consequence unto them. But a Committee, appointed by the Commission to converse them and their Brethren, having made Report, That they *refused to profess their Sorrow* for their Conduct before the late Assembly, or to *retract the Protestation* given in against the Decision of that Assembly: And the said two Brethren having owned before the Commission the Committee's Report to be *just*, the Commission thought fit to refuse their *Representation* a Reading: Whereupon the said Brethren, conceiving themselves lesed by this Step of the Commission, *protested* for Liberty to complain to the ensuing General Assembly.

Mr. *Wilson* and Mr. *Moncrieff* being denied, what they thought was their *just Right* and *Privilege*, of having their *Representation* read, delivered themselves upon their quarrelled and condemned Conduct *viva voce* before the Commission, and protested, in Terms as it is now published, That any Censure inflicted upon them should be held and reputed *null* and *void* in itself, referring to their *Representation* for the particular Grounds and Reasons of their Protestation; and thereupon took *Instruments*, to which Mr. *Erskine* and Mr. *Fisher* adhered.

Upon the Intimation of the Sentence of Suspension to the said four Brethren, they gave in the following *Protestation*, with an *Instrument* thereupon;

“ WE hereby *adhere* to the Protestations taken by
 “ us before this Court, for ourselves and in
 “ Name of all the Ministers, Elders and Members of
 “ the Church of *Scotland*, and of all and every one in
 “ our respective Congregations, adhering to us, bearing,
 “ That this Sentence is in itself *null* and *void*; and
 “ that it shall be lawful and warrantable for us to exercise
 “ our Ministry as hitherto we have done, and as
 “ if no such *Censure* had been inflicted: And that, if,
 “ in Consequence of this Sentence, any Minister or

Pro-

“ Probationer shall exercise any Part of our *Pastoral*
 “ *Work*, the same shall be held and reputed as a violent
 “ *Intrusion* upon our Ministerial Labours. And we do
 “ hereby protest for *Extracts* of the Papers given in
 “ by us, and of the whole of the Commission's Proce-
 “ dure against us; and hereupon we take *Instruments*.”

EBENEZER ERSKINE.

WILLIAM WILSON.

ALEXANDER MONCRIEFF.

JAMES FISHER.

The Elders from the several Congregations concern-
 ed in the four Ministers did likewise give in the fol-
 lowing *Protestations*, with *Instruments* thereupon: But
 the Moderator of the Commission having begun Pray-
 er in a most abrupt Manner, and in the very Time
 when the *Protestations* were entering, the *Protest* by the
 Elders of *Stirling* was not taken till the next Diet of
 the Commission.

“ WE the undersubscribing Members of the Kirk-
 “ session of *Perth*, do hereby, in our own Name,
 “ and in the Name of all that shall adhere to us in
 “ the said Congregation, testify our Adherence to Mr.
 “ William Wilson one of our Ministers, notwithstanding
 “ of this Sentence inflicted upon him: And, in re-
 “ gard some of us came with a *Petition* from our Kirk-
 “ session, which was presented to the Reverend Com-
 “ mission, but was neither read nor regarded; We pro-
 “ test, we shall be at Liberty to complain to the next
 “ General Assembly, and hereupon take *Instruments*.
 “ Signed by us at *Edinburgh*, August 9th, 1733.”

WILLIAM FERGUSON.

COLIN BROWN.

DA. ROBERTSON.

JAMES DAVIDSON.

PAT. SCHIOCH.

ALEX. M'EUEN.

“ WE Undersubscribers, Members of the Kirk-
 “ session of *Stirling*, do hereby, in our own
 “ Name

" Name, and in the Name of all that shall adhere to
 " us in the said Congregation, testify our Adherence to
 " Mr. *Ebenezer Erskine* one of our Ministers, notwith-
 " standing of this Sentence inflicted upon him; against
 " which Sentence we do hereby PROTEST: And,
 " in regard we came with a *Petition* from our Kirk-
 " session, which was presented to the Reverend Com-
 " mission, but was neither read nor regarded; We
 " protest that we shall be at Liberty to complain to
 " the next General Assembly, and hereupon take In-
 " struments. Sign'd by us at *Edinburgh, August 9th,*
 " 1733. JOHN GIBB.
 WILL. ALLAN.
 ANDREW MILLER.

" WE *George Dron* and *Henry Balingal* Elders in
 " the Parish of *Abernethy*, and *George Miller*
 " and *Silvester Alexander* Elders in the Parish of *Kirk-*
 " *claven*, by vertue of Commissions sign'd by the El-
 " derships of these Congregations unanimously, and by
 " a great many other Inhabitants of the said Parishes,
 " appointing and empowering us to declare their and
 " our Adherence to our Ministers, in case they should
 " be suspended or otherwise censured by the Commissi-
 " on; and in their Name to protest against any such
 " Sentence, and the Intrusion of other Ministers that
 " may be made thereupon: And therefore we do in
 " our own Name, of our Constituents, and of all
 " others in the said Congregations that shall adhere to
 " us, PROTEST against the Sentence of the Com-
 " mission, depriving us of the Benefit of our Ministers
 " Labours among us; and that any other Minister, ex-
 " ercising the *Pastoral Office* in our respective Congre-
 " gations, shall be reckoned an *Intrusion*; and there-
 " upon we take Instruments. Sign'd by us at *Edin-*
 " *burgh, August 9th, 1733.*

GEORGE DRON.

28.00 62 HENRY BALINGAL.

GEORGE MILLER.

SILVESTER ALEXANDER.

F I N I S.



APPENDIX,

CONTAINING

Several Addresses and Representations,
&c. none of which were allowed to
be read, except a few Lines in the Be-
ginning of the Representation of the
Presbytery of *Stirling*.

Which Addresses, &c. came not to Hand till the
former Part of this small Volume was printed ;
and therefore they are here insert as follow.

*Unto the very Reverend the Moderator and Re-
verend and Honourable Members of the Com-
mission of the General Assembly of the Church
of Scotland, to meet at Edinburgh the second
Wednesday of August next,*

The Representation and Address of the
Ministers and Elders of the Presbyte-
ry of *Stirling*, met on the 19th Day
of *July* 1733,

Humbly Sheweth,

THAT whereas we being enjoined by the
last General Assembly to report to this
Diet of the Reverend Commission the
Conduct and Behaviour of our Reverend Brother

K

Mr.

Mr. *Ebenezer Erskine* with respect to the Act of Assembly in his Affair ; Do represent, That, in our Enquiry this Day in this Matter, a very favourable Report was made to us concerning him.

And, being thus introduced into the Commission's Presence, we reckon we are bound in Duty (the Affair being of such Importance to us in particular) to lay before the very Reverend Commission some Reasons why we think they should not proceed to the present Execution of the Assembly's Sentence against him ;

1^{mo}, We are perswaded, that some Words and Expressions in Mr. *Erskine's* Protest have been understood in a Sense, which seems to us not to be his Meaning, and are not consistent with the Strain of the Protest itself, in so far as that Protest has been taken up and understood to be a Protest for Remeid of Law, or an Appeal to any other Court, or Body of People whatsoever upon Earth, as if he thereby meant to disown the sovereign and supreme Jurisdiction of the General Assembly of the Church of *Scotland* over all the Members thereof, and in all the Ecclesiastick Causes that come before them : Whereas there seems to be no more meant by him, but a solemn Testimony and Declaration of his own Mind for Vindication of himself, and that which he thought might tend to the Preservation of the Rights and Privileges of this Church in Cases of Defection.

2^{do}, Mr. *Erskine's* Character is so established amongst the Body of Professors of this Part of the Church, that we believe even the Authority of an Assembly condemning him cannot lessen it ; yea, the Condemnation itself, in the present Case,

will

will tend to heighten it ; and, in his Case, should the Sentence be execute, most lamentable Consequences would ensue, and most melancholly Divisions will be increased ; the Success of the Gospel in our Bounds hindred, Reproach, Clamour and Noise take Place ; our Congregations torn in Pieces, Ministers of Christ deserted and misrepresented, and our Enemies rejoicing over us.

3tho, Whatever Difficulty may arise from the Commission's being tied down by the Act of Assembly, Mr. *Erskine's* Offence was committed by the Connivance of the Assembly ; they knew they could have stopt it in Point of Form ; Mr. *Erskine* could not have transgressed without their Patience, and certainly they designed that their Commission should judge favourably. No supreme Court, either in Church or State, ever punish'd such a Crime ; there is no Law against it, because every supreme Court can prevent the Transgression without a Law.

4tho, We acknowledge, and are very sensible, that we plead with this Reverend Court at a Disadvantage, they being enjoined to proceed to the Execution of the Sentence, in case Mr. *Erskine* do not withdraw his Protest ; and therefore it may be replied to us, That we plead the Commission may disobey the Assembly's Orders and Commands. This we confess is a Strait, and was so to us in our Thoughts upon the Matter : Yet, seeing the Commission have it in their Instructions to take Heed and advert that no Danger befall the Church, or any Part of the Church, which it is in their Power to prevent ; seeing here is manifest and visible Danger, which it is in their Power

to prevent, by their not executing that Sentence ; seeing the End of all Discipline and Law is the Good, Safety and Edification of the People ; and being that going to the utmost of the Commission's Orders by the last Assembly, would not be to strengthen Authority, but to weaken it ; not tend to the Furtherance of the Gospel, but to its Hinderance ; not to strengthen the Hands of others in their Ministry, but to weaken them ; We perswade ourselves, that, in representing these Things to the next ensuing Assembly, such is the Tenderness of this Church to her Children, that the Commission shall have the Thanks of the Assembly for their not presently executing the Assembly's Sentence ; and any Rebuke that they shall meet with for their not obeying Orders will be so gentle, as *not to break their Heads* ; and are perswaded, that, in View of giving up Accounts to our great Lord and Master, it will be no Offence or Grief of Heart to any, that they have taken this Step to prevent the dividing and rending asunder Christ's Church in our Land.

This then is our humble Desire, That the present Reverend Commission would delay this whole Affair till their next Meeting ; and we hope at that Time the Commission will either find Matters altered to the Advantage, or will find the Reason as strong for further Delay till it come to the next Assembly, who will provide, we hope, some suitable Remedy for the whole. And the Presbytery hereby appoints their Reverend Brethren, Mr. *John Taylor* and Mr. *Henry Lindsay* Members of the Commission, together with Mr. *John Warden*, Mr. *John Gray* and Mr. *John Bruce*, or any one of them, to present this their
Address

Address and Representation to the Reverend Commission, and to do every Thing conducive for obtaining the foresaid End. This, in Name and by the Appointment of the Presbytery, is signed by

ALEX^r. HAMILTON Moderator.
WIL. WALKER Presb. Clk.

Unto the very Reverend, &c.

The Representation and Address of the Kirk-Session of *Stirling*, met the 1st Day of *August* 1733,

Humbly Sheweth,

THAT as it hath been, and still is, very affecting and afflicting to us, as well as to this Congregation, that the Reverend Mr. *Ebenezer Erskine* our Minister, his Affair should ever have come to the Length of a judicial Procedure; so that which hath been more grieving unto our Hearts, is, That the supreme Judicature of this Church, to whom we owe all dutiful Respect and Subjection, should, upon the Account of a Protest entred by him after the Synod's Sentence was affirmed and execute at their Bar, did not only impower, but appoint their Reverend Commission, that in case he should not appear before them in *August* thereafter, and then show his Sorrow for his Conduct in offering the said *Protest*, and retract the same, that then they should suspend him from the Exercise

ercise of his Ministry, &c. While indeed we consider, that these Orders are given by the supreme Ecclesiastical Court, we are laid under such a Disadvantage, as may very much blunt the Edge of our Confidence in our present Address, seeing no less is proposed by it, than that the Reverend Commission should counteract and disobey the Assembly's positive Orders and Commands. This we confess is a great Strait, and could not miss to be so to us in our Thoughts upon the Matter, and would effectually prevailed with us to lay aside our addressing the Reverend Commission, were it not that we clearly foresaw, that, upon their executing of the Assembly's Orders, a great many lamentable Consequences would inevitably follow; which Consequences, we suppose, are so obvious unto the Reverend Commission, as that we need not trouble them with a particular Detail of them: Only, that we beg Leave to observe, That, having had a Trial of Mr. *Erskine's* Ministerial Gifts and Labours these two Years bygone, we cannot but own, that, according to our Discerning and Experience, his Lord and Master hath endowed him with a very edifying Gift of Teaching and Preaching, and many other good Qualifications every Way fitted for the Office of the Ministry, and particularly in this City and Congregation; which, together with the great Pains he has taken in the other Parts of his Ministerial Labours, and, we hope, not without Success, and all attended with a very tender Walk, wise and prudent Behaviour, have made him most acceptable to us and Persons of all Distinction in this Place, and particularly God's serious Remnant in it.

These Things, with many others to the same
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Purpose that might be added, being considered and duly weighed, we are verily perswaded, that if the Reverend Commission shall, notwithstanding, execute the Assembly's Orders at this Time, and lay Mr. *Erskine* under the Sentence of Suspension, and that for no other Reason but the Protest given in by him to the last Assembly, which he himself acknowledgeth to be in its own Nature, and in the Signification of the Word, nothing else but a solemn Testimony for, and Declaration of, the Truth, when Men conceive it to be any Way injured; and such a Declaration he judged might be given, without any Contempt of Church-Authority: We say, If such a Sentence should be past against such a Minister, for such a Reason, we fear it will have too great an Influence upon our People to alienate their Minds and Hearts from that Respect and Affection which otherwise they owe to Ministers, Church-Judicatories, and their Commissions; whence great Disorders and Confusions here, and in the Country about, if not in most of the Corners of this Church, will inevitably (at least most probably) ensue, and that to the great Disturbance of the Peace thereof, which we are afraid may come at length to issue in a plain Rupture; which, no doubt, will make Enemies to our happy Constitution in both Church and State to rejoice, as that which they have long wished and hoped for; while in the mean Time honest Ministers, and true Children of *Zion*, will be mourning in Secret. Now, all these, with many other direful Consequences, it is in the Power of the Reverend and Venerable Commission to prevent, and which we conceive they may do, even in a just Consistency with the

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Assembly's Instructions, particularly that whereby they are ordered to advert against every Thing that may have the least Tendency to disturb the Peace of the Church of Christ in this or other Corners of it.

To conclude, This then is our most earnest and humble Desire, That this present Reverend Commission would delay this whole Affair, at least till their next Meeting ; and, we hope, at that Time the Commission will either find Matters altered to the Advantage, or will find the Reason as strong for further Delay till it come to the next Assembly. And we perswade ourselves, that, when it shall be before them, they will not only readily excuse this Reverend Commission for the Delay, but approve of their Conduct in the whole Matter: Yea, and we even doubt not but, when Notice thereof comes to the Ears of our gracious Sovereign King *George* and his Government, it will be most acceptable to them, while that his Majesty doth observe the wise and prudent Conduct and Zeal of the Church of *Scotland* in preventing Divisions and Rents amongst his true and faithful Subjects, he having nothing more at Heart than their Peace and Quiet among themselves.

And the Session hereby appoints *William Allan, John Gibb, Andrew Miller, and Robert Willison*, Members of the Session, or any two of them, to present this their Representation and Address to the Reverend Commission, and to do every Thing conducive for obtaining the foresaid End. This, in Name and by Appointment of the Session, is signed by

ALEX. HAMILTON Moderator.
WILL. CHEYNE Sess. Clk.

Unto the very Reverend, &c.

The Representation and Address of the Provost, Baillies and Town-Council of the Burgh of *Stirling*, for ourselves, and in Name of the whole Community thereof, by us represented,

Humbly Sheweth,

THAT there are Petitions given in to us by the Gildry, seven incorporate Trades, and haill other Corporations in the Burgh, all declaring their Grief, for being likely to be deprived of the Ministry of the Reverend Mr. *Ebenezer Erskine*, one of our Ministers, in Case the Act of Assembly, in *May* last concerning him, be put to Execution by the very Reverend Commission; and therefore craving we might use our Endeavours for preventing their being so deprived.

That, as Mr. *Erskine's* Affair comes now before the very Reverend Commission in Pursuance of an Act of Assembly; so we shall not here enquire into the Reasons for enacting it; neither shall we much dip into the Question, how far the Execution of the foresaid Act of Assembly might be delayed in Point of Form; but must humbly submit this to the very Reverend Commission: Only we beg Leave briefly to represent, That Mr. *Erskine* was settled as an additional Minister amongst us, for the greater Edification of the Place, and that with no small Trouble and Expence: That we have always lived in good Friendship with him, after now two full Years Acquaintance: That we find him to be a Man of a peaceable Disposition of Mind, and of a religious Walk and Conversation, and to be every Way fitted and qualified for discharging the Office of the Ministry amongst us; and that he has accordingly

dingly discharged the same, to our great Satisfaction. That therefore our being deprived of his Ministerial Performances must undoubtedly be very moving and afflicting to us; and that the putting of the foresaid Act to Execution, we are afraid, will in all Likelihood be attended with very lamentable Circumstances, Confusions and Disorders, too numerous and tedious to be here rehearse; and that, not only in this Place in particular, but also in the Church in general.

The Consideration of this, and that the very Reverend Commission's delaying the Execution of the foresaid Act, cannot miss to be reckoned a Piece of Prudence and good Conduct by the Venerable Assembly, as it tends to preserve the Peace of the Church, as well as of this Place, and to prevent the Disquiet that otherwise might arise in both; makes us the more bold to apply, and hopeful to succeed in our Request for this End.

May it therefore please the very Reverend Commission, to take the Premises to Consideration, and delay the putting of the foresaid Act of Assembly to any Execution until the next Assembly, or at least till the Commission in November next; and we are hopeful the Venerable Assembly will not condemn you for so doing. This is our earnest and hearty Prayer and Address, signed by William Maiben Preses of Council, in our Name, and by our Appointment, at Stirling the 4. Day of August 1733 Years. WILL. MAIBEN D. G.

Perth, the 3d Day of August 1733.

Unto the Right Reverend, &c.

The Petition of the Kirk-session of the Town and Parish of Perth,

Humbly Sheweth,

THAT whereas we understand one of our Ministers, Mr. William Wilson, is cited by the

the late General Assembly of this National Church to appear before this Meeting of the Commission, on Account of a Protestation taken by him and some others against a Decision of the said venerable Assembly, in the Case of Mr. *Ebenezer Erskine* Minister of the Gospel at *Stirling*.

We in all Humility beg Leave to represent unto the very Reverend Commission the Case and Circumstances of this our Town and Parish; That we have two numerous Assemblies every Lord's Day, the one of them so large, that scarce the strongest Voice of a Man can reach them all: That we have two Week-days for Sermons, to which the Inhabitants of the Town and Country Parts of the Parish give good Attendance: That the good Town of late Years have supplied us with a third Minister, the Charge being found too great and weighty for two: That it has pleased the Lord to remove one of our Ministers by Death in the Month of *January* last; That another of our Ministers is of an advanced Age, so that we cannot reasonably expect he shall be long continued with us, his Health and Strength daily decaying: That the said Mr. *Wilson*, so far as we can understand, has not as yet attained unto that Light as to come up to the Obedience required of him by the Act of the late venerable Assembly: That, if the Reverend Commission should go to the Rigour with him at this Meeting, so that we be deprived of the Exercise of his Ministry by Suspension or otherwise, it is easy to foresee how dismal the Consequences are like to be, and what deplorable Circumstances we in all human Probability shall be reduced unto. Upon the whole then, Let us earnestly beseech the Reverend Commission, that

in their great Goodness they may please to grant such Delay in their Procedure against our Minister Mr. *Wilson*, as they in their Wisdom shall think fit : And, as this would be a singular Favour to us, so we are hopeful it would be no less to the Church, especially in our Bounds ; and that the Reverend Commission shall have no Cause to repent of their Lenity in this Matter.

May it therefore please the Reverend Commission, to grant our humble and earnest Request ; and your Petitioners shall ever pray. This, in Name and by Appointment of the foresaid Kirk-session, is signed by

THO. BLACK Moderator.

Unto the Right Reverend, &c.

The Representation and Petition of the Magistrates and Town-Council of *Perth*,

Humbly sheweth,

THAT whereas, on Account of a Protestation taken by Mr. *William Wilson* one of the Ministers of this Burgh, and some others, against a Decision of the General Assembly of this National Church in *May* last, in the Case of Mr. *Ebenezer Erskine* Minister of the Gospel at *Stirling* ; the Magistrates and Town-Council understand, that the said Mr. *Wilson* is cited by the said late General Assembly to compare before this Meeting of their Commission, for the Purposes mentioned in the Act of Assembly relative to that Affair : And, as the Magistrates and Town-Council are heartily sorry Mr. *Wilson* is brought into such Circumstances with the supreme Judicatory of this Church, so they are deeply sensible how *dismal* the Consequences may be, in Case the Reverend Commission shall at this Meeting

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proceed to *suspend* him from the Exercise of his Ministry. We therefore beg Leave to represent to the Reverend Commission, That the two Churches of this Burgh are every Lord's Day filled with numerous Assemblies of our Inhabitants; the two Week-days Sermons in one of the Churches are likewise attended by a pretty numerous Audience: That, besides the said Mr. *Wilson*, we have only one other Minister, the Reverend Mr. *Thomas Black*, who by his long-continued and indefatigable Ministerial Labours among us, and his advanced Age, is now much decayed as to his bodily Strength, so as he could not possibly subsist alone under such a weighty Charge; and it would be a great Hardship, by overburdening him in his old Age, to deprive this Place of the Benefit of his Ministry during the small remaining Part of his Life among us: That, tho' Mr. *Wilson* may happen not to be as yet in Case to yield the Obedience required of him by the Act of the late General Assembly, we humbly conceive, that, if the Reverend Commission shall be pleased so far to shew Lenity and Sympathy to him and us in our and his present Situation, as to delay proceeding to the Execution of the Sentence against him, no dangerous Consequence could ensue to the Church or Judicatories thereof, and possibly such Lenity may happily prevent the *melancholly Circumstances* wherewith that Affair threatens this Place.

May it therefore please the very Reverend Commission, in their Clemency to Mr. Wilson, and Sympathy to this Burgh, to agree to delay the Affair concerning him. And your Petitioners shall ever pray, &c. Signed this 6th August 1753, in Name and in Presence of the said Magistrates and Town-Council, by

PAT. CRIE Provost.

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Unto the very Reverend, &c.
The Representation of the Presbytery of Dum-
blain, met at Dumblain, July 31. 1733.

Humbly sheweth,

THAT the Disorders and Confusions arising amongst us from some late Emergents, have not a little affected us, and brought us into such a Situation, that we are at present very uneasy and much disquieted upon the Prospect of the fatal Consequences that may follow if any severe Sentence should pass against Mr. *Erskine* and his Adherents. Tho' by no Means do we set up to justify or vindicate any irregular Steps these Brethren may have taken, or any Thing in them that can be construed an undutiful Behaviour towards the Judicatories of this Church; yet the present Posture of our Affairs is such, that we thought it our Duty to apply to the very Reverend Commission, and let them know the Ferment that is among the People, and that Divisions are arisen to such a Height as to threaten a great and open Breach. It has for many Years past been the Strength and Beauty of the *Presbyterians* in *Scotland*, that the small Differences that have arisen amongst them have never yet been wrought up so far as to make a total Separation or Schism, but have happily been sopite and extinguished; for such has been the wise Conduct of the Judicatories of this Church, who have hitherto breathed a forbearing healing Temper of Spirit, that Love and Harmony has been in a great Measure maintained; and, if it should otherwise happen now, (which we pray God in his great Mercy may prevent) the Hands of Ministers must be weakned, Religion wounded, and our avowed Enemies too much gratified.

May it therefore please the very Reverend Commissioners to take under their serious Consideration the distressed State of this Corner, which is no inconsiderable Part of Christ's Vineyard in Scotland, and give into such Measures as may allay the Ferment, and extinguish the Flame which is already kindled amongst us; seeing all wise States, both Civil and Ecclesiastick, have thought fit to relax their Authority when present Exigencies craved it. This, in Name and at the Appointment of the said Presbytery, is subscribed by

JOHN FERGUSSON Moderator.
JA. M'GOUNE Pr. Clerk.

Unto the very Reverend, &c.

The humble Petition of the Presbytery of *Elton*, met at *Foveran* the 1st of *August* 1733.

Humbly sheweth,

THAT with Regard to the Processes depending before you, concerning Mr. *Ebenezer Erskine* and his Adherents, and the Brethren of the Presbytery of *Dunfermline*, that we are far from maintaining any Principles destructive of the beautiful Order of this our National Church, Subordination of Judicatories therein, Subjection of all her Members to the Venerable Assembly in the Lord; and hope, thro' Divine Grace, never to be guilty of Contempt of the lawful Authority of our Superiors, or Abettors of others in a wilful and stated Contravention thereof, which the Reputation of these our Brethren, for Piety, Ministerial Faithfulness, Soundness in the Faith, and Zeal for the Presbyterian Constitution of this Church, does not, consistently with Charity, suffer us to impute to them: And, however far human Frailty, which none of us can purge ourselves of, may have interfeir'd in their Behaviour towards the General Assembly, which we dare not vindicate; yet we doubt not, but the very
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Reverend Commission, by reflecting on the Tenor of Instructions from many Presbyteries for some Years back, as well as Reasonings of severals in Church-Judicatories, will observe, that there are not such vast Odds in their Way of thinking on the main from the steady Judgment of their fore-said Brethren with Regard to some Things in Question, but that probably some will interpret Strictness of Discipline towards them *Severity*, to the Breach of Brotherly Love and Peace, and the begetting of Jealousies and Prejudices amongst the Ministers and Disciples of the peaceful JESUS, which Corruption and other Enemies may heighten to lamentable *Breaches* in this our Mother-Church. And, seeing our blessed Lord requires that Discipline flow from a *Spirit of Meekness*, thro' the Chancel of *Love, Peace and Edification*, according as Circumstances will bear; and that as all, so especially Office-bearers in the Church, are called in all their Conduct to have a Regard to the Glory of God, the Honour of the Redeemer, Peace of Zion, and the Success of the Gospel amongst us, which we fear may be in Danger if Matters are brought to Extremities: Therefore we beg Leave, as dutiful Sons of this Church, and Office-Bearers in the Lord's House, humbly to supplicate, That in the Spirit of Wisdom, Meekness and Charity, the very Reverend Commission may be pleased to consider whether it may not answer the Ends and Rules of the Gospel, to wait fresh Directions from an After-Assembly, or at least express such a Tenderness and *indulgence* toward them, as may at once disappoint the *Fears of Friends*, and discourage the *Hopes of Enemies*. And your Petitioners shall ever pray, &c. Signed in Name; Presence, and by Appointment of the Presbytery of *Ellon*, by JAMES GILCHRIST Mod.

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